



MARCVS

*Tullius Ciceroes*

three bookes of duties to  
Marcus his sonne, tour-  
ned out of Latine into  
English, by Nicolas  
Grimald.

Wherevnto the Latine  
is adioyned.

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1596.

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ly in t  
arcus Tu





¶ To the right reuerend Fa-  
ther in God, and his singuler good  
Lord, Thomas, Bishop of Ely,  
one of the King and Queenes  
Maiesties most honora-  
ble priuie Coun-  
sell;



Having recourse of late ( right re-  
uerend Father ) to the old stu-  
dies that I once applied in the V-  
niuersitie : & getting some fruite  
of quiet life to the perusing & re-  
cording of those thinges, wher-  
with in time past I felt my selfe  
greatly both delighted and furered : I gaue my  
minde chiefly to such kinde of learning, as wold  
serue both best to the order of my studie, and also  
to the gouernance of my life, so that comparing  
my experience and reading together, I might make  
my priuate diligence in studying do seruice to the  
open vse of liuing. In following of which intent,  
what by increase of iudgement for yeres, what by  
trauailing abroad in the world, I found euer more  
and more so new profits and commodities : that  
whereas me thought, I had seene but the shadow  
of things, now I begin more to see ( as it were )  
the whole body thereof. And most of all, this  
prooffe I haue, in the greatest and most profitable  
part of Philosophie, which is concerning manners:  
and namely in the bookes, that of duties be writ-  
ten, by Marcus Tullius Cicero : a matter contay-  
ning

## The Epistle.

ring the whole trade how to liue among men discreetly and honestly : and so rightly pointing out the pathway to all vertue, as none can be right,er, onely Scripture excepted. Infomuch, that when I had well considered altogether : I saide with my selfe concerning this, as did a certaine learne d man not long agoe by Homer : This is the fift. time I haue read ouer this Author, & as oft as I read him, so oft somewhat I finde, that I marked not before, and that hath need to be deeply pondered : so that I fancied at the first, hee was easie, but; now mee thinkes, hee requires a very heedfull and a musing Reader. VVherefore not without meruailous great pleasure, espying : that neither in priuate life to attaine quietnesse and contentation : or in office bearing to winne fame and honour : or in euery estate both to auoid disorder and enormitie, and also to keepe a right rule, and commendable behauiour. This booke plainly is the mirrour of wisdom, the fortresse of iustice, the maister of manlinesse, the schoole of temperance, the Iewell of comelinessse : I wished many moe to be partners of such sweetnesse, as I had partly felt my selfe, and to declare, that I ment no lesse then I wished : I laide too my helping hand, endeuoring by translation, to doo like wise for my countrymen, as Italians, Frenchmen, Spaniards, Dutchmen, and other forreines haue liberally done for theirs. So chiefly for our vnlatined people I haue made this latine writer english, and haue brought into light that, that from them so long was hidden : and haue caused an auncient writing to become in a manner new againe : and a booke vsed but of few, to wax common to a great many, so that our men vnderstanding what



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what a treasure is among them, for the fashioning of their life, and being by nature most of all other nations, giuen to ciuilitie and humanitie, when they shall be ayded and directed by these perfect precepts, may in all points of good demeanor become people perelesse. Yet iudge I all this labour little woorth and smally or nothing able to preuaile, without your honourable Lordship were patron hereof, to whom I do dedicate both my good hart and my worke also, ( I call it mine, as Plautus & Terence called the commedies theirs, which they made out of Greeke, not as to teach your Lordship ought that you haue not already, but by your authoritie, to get it the more estimation with other. For as Tullies treatise being so full of learning, asketh a learned mans iudgement, which who so refuse they shew themselves to be vnwise, euen so such a noble Counsaillour of England, seemeth most meete to receiue so noble a Senator of Rome into a straunge Region. Doubtlesse, among so many honourable decdes of our Lordships, it shall not be the least honourable, if ye doo Marcus Tullius this honour to welcome him hether, and to be the very cause, that so famous a Roman may become familiar with our English men. So shall a worthy pere be worthely intreted as very curtesie requireth, so your Lordshippes iudgement must needes be well liked, which is woont to allow onely knowledge and goodnesse : so will the common people more highly esteeme the thing, as it is expedient for them to doo, and the sooner also will they follow these wholesome lessons, which is full necessary in a well ordered state. To be short, your Lordship for a chosen Patrone, my Translation

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for a welcome worke, & Tully shall be taken for  
such a Tully as he is. And like as Marcus Cicero,  
with the authoritie of a Father commended these  
bookes to this young Cicero, so when our English  
youth shall behold them once authorised by so re-  
uerend a Father in God, no doubt, they will be the  
rather in loue with them, and will count it plea-  
sant paine taking heere to enrich themselues with  
informations of vertue, ensamples out of stories,  
morrall doctrine, politike prudence, antiquitie, va-  
rietye of meruailous matters, so cunningly & ora-  
torially treated, and indited, as he was able to de-  
clare and expresse, who was the first, & the chiefe  
that euer cladde Ladie Philosophie in Romain  
attire. Thus, very loath to let your Lord-  
shippe from your waightie affaires, I  
make an end, and pray God, long  
to preserve your honourable  
Lordship in health,  
with increase of  
honour.

Your humble Orator,  
Nicholas Grimald.

## TO THE READER.



Al thinges in the world ( good Reader ) be made for some vse & ende, which ende is more worth, than all, that doth serue thereunto, and wher both the end is good, and what so serues therto, ther the whole doing is likewise good. In vs the best worke is, to vse our selues well and worthely, who in the order of natural thinges are of the best and worthiest kinde. For what is ther that can vse it selfe: vnlesse it bee enformed with reason, and vnderstanding: Dumb creatures and liuelesse of other be vied: but themselves can they neuer vse. Beastes endued with life and sence, may seme to haue some semblat hereof: in that they vse their feeding, lodging, and other necessities, yet therby they obtaine neither praise nor dispraise, seing they doe it not of any free choise, but onely by the motion of kinde, & as their appetite draweth them. But we, who haue s great gift of wit, and reason, must not most of al stick stil in that appetite, to get nothing els, but pleasure, & profit, but ensuing the heavenly guide of our nature, must be led to the desire of trouth, honour, and semelincesse, wherwith the more that we be decked, adozned, and beautified, the farther we be from the brutishnesse of beastes, and the neerer approach wee to the nature diuine. In as much then as euery thinge is borne to doe that which to his kind is most agreable, and vs it beseemeth most to vse our selues, our part without doubt, and our dutie shall we do best, if we imploy the vsing of our selues to deeds, that be honest, & commedable. Other things



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when wee vse, as lands, houses, armour, horses, hownds, mony, clothes, or stufte, wee cannot vse them at all times, and with them we must enforce, & busse our selues also, whereas the vsing of our selues is in euery place at hand, & at no season to seeke. For whether we be doing somewhat, or at rest, whether we abide in the country, or in the city: whether we be occupied in earnest, or in game: no pause there is at all, but night & day we vse our selues continually.

Which thing lieth in euery portion of a mans life it hath place, if it be wel and wisely, and conveniently done, we shall be wealefull, & in a blessed case, if vngraciously, and fondly, & wickedly, wretched shall wee be, and in a wofull plight. This are we taught to much, by the common life of men, who for default of skill, how to behaue themselves be confounded in deepe darkenesse of error, & ignorance, & wanting the right rule, they take chaffe for cheese, as the saying is, they cannot frame their affections nor kepe them in temper. But such maner cloudes be clerely dissolued, by the beames of Philosophie, which set before our eye sight the very ends, and markes, & selfe nature hath appointed vs.

For in this world here beneath, are three kinds of liuing wights, whereof some haue no more, but lyfe, as Plantes, hearbes, and trees, growing out of the ground, some haue not onely lyfe, but senses also: as Sheepe, Oxen, and other beastes: the third comprehendeth both these: and our life and senses, hath the soueraigne ruler Reason: as in the nature of man we see them all conioyned.

It remaines, therefore, and meete it is for him such doings to practise: as may both seuerally a:

gree

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gree with each of these parts, and generally with them altogether. To the parcell inferiour (by which we receiue our nourishment, our growing, and the state of our body) welfare is appointed the vic- most ende, wherein the thing consisteth that we call profitable: which concernes the getting, maintey- ning, or recouering of health. Of þe soule, or life en- dewed with sciences, pleasures is the end, that it would enioy. The third nature, which is partener of reason, hath this prick to shoote at (if you consi- der it by it selfe alone) science and knowledge of trouth: if you beehold it with the other two accom- panied, it hath honestie, worship, and honour.

These be the verie endes, whereto mans life and nature must endeuour to attayne: hether dooth Philosophie promise to bring a man, by hir infor- mation. For when shee hath tolde in a generalitie, what is honest, comely, auailable, prayse worthy, and in euery poynt conuenient: then may men by intelligence perceiuing the trouth, truly expresse the same in euery particular deede.

Wherefore seeing reason containes, the wlole life of man, and to it as their captaine, the other parts bee obedient, or at least wise ought to bee: first, marke wee the particuler propertie of reason: then how with the other powers it exerciseth man, af- terward the comely behauiour, and dutifull dealing is the open resort and fellowship of men.

Mans minde is contented and satisfied with nothing so much, as the cleere vnderstanding and that vnderceiuable science of sooth. Chiefly standeth his minde in contemplation of immortall and per- durable things: thereto, in such as fade and fall, it teacheth, or deiueth, appoynteth, commaundeth.

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Wherebyon the order, course, figure, light, influence, of Sunne, Moone, and Stars, it obserueth: conceiueth intelligences. Angels, soules, & formes immateirall, proceedeth from them, & so mounteth by to the very author, and Prince of this worldes vniuersitie: whom it knoweth and knowledgeth to be one, the best, the mightiest, the truest, the most righteous and euerlasting. Yet is the selfe same minde by the fellowship & companie of the senses, & desires, many a time called away from that principall office, to consider these vnstable, & mutable things, & sometime to cast in conceite, formes diuised from the matter, mathematically: and sometimes to view things sensible, that can in noe wyse bee sundered from the materiall substance, as Elements, Beasts, Hearbes, Trees, mettalls, Stones, and such lyke: all that which must needs bee fenced and fortysied with the trade of debating doubts, and discerning of trouth from vntrouth: which is the art of Logick, the very rule of reason, and instrument of all discourse.

Now to speak of the vsing of the whole man, by the continuall tenour, & stedfast rate of bodies selesiall and naturall, the minde of man learneth order, obedience, and concord. For lyke as God gouerneth thinges manifolde, moueable, and falling away, beeing himselfe but one, vnremoueable, and euer duering: so reason within vs ought to rule ranging lust, & rash motions of the minde, and the other vntworthier and weaker parts, beeing it selfe stedfast, sage, principall, and strongly establisshed.

In case a man loue any one part of himselfe too much: or sew after the end therof by a wrong way, and cleane out of fashion: hee shall not leade a lyfe

all



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all euen and straight, but hooked and crooked, noz eaſe, and quiet, but miſerably diſtempered. For who ſo bee ouermuch enclined to pampering, and pleaſing of the vital portion, they be all bent to gather good, and wholly giuen to gaine. They, that all onely ſerue their ſences, and ſet their delights to feele the pleaſures of the ſame, by exceſſiue epyther in riotting and banquetting, & in outrageous fleſh-fondlings, or in other ſuch paſſances, as be ſenſual. They which holde them content to lead a lyfe contemplatiue, hauing no regard, ne reſpect to y<sup>e</sup> fore-named parcels, dooe proue ſlower, lowring, blokiſh, ruſticall, and far from all ciuiliſſe of life. Hee, in whom reaſon ioynez with the ſences, for to do them ſeruiſe: will inforce himſelfe to win worldly glory and ſoueraigntie. Hee that can comprife in his thought no large compaſſe, noz deepe conſideration: but is faynt, feeble, wauering, and full of infirmitie: will ſhew forth himſelfe chiefly with apparelling, or with ſome outward bragge, to ſupply his want within.

To ſuch ſortes of annoyauce, and diſconuenience, light, and moderation is brought by morrall doctrine, the which Marcus Tullius Cicero in theſe bookes of duties profeſſeth. This learning teacheth ſo much to graunt the vitall part, and the netherelt, as will bee ſufficient to preſerue the life in health, and welfare. It willeth alſo, the feeling portions ſo to take fruition of pleaſures, that neither it defraud the lower part of the profits, thereto appropriate, noz with importune egging annoy the mind which aſpireth vnto varietie of opinions, and vprightneſſe of manners.

Without more words, it assigneth for to raigne,  
which

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which is bozne to raignt, and that to bee obeysaunt,  
which is framed for obeysaunce.

Now, when a man is so instructed with Philosophie, that he can ful conueniently liue sole, and at point deuise by himselfe, he must be brought forth abroad into the face of the world, to the intent hee may procure, not onely that beecometh himselfe to doo, but also the wealth of other folk. Hee must remember the three fold state and diuersitie, that hee hath espyed and practised in himselfe, & must transferre the same to the gouernance both of his household priuately, and of the whole commons openly. So shall the meanest sort like the vitall parcell in man bee occupied about the most seruile & needfull workes, men of the middle degree, like the sensue soule shall attend to affaires and sciences most liberal. The nobilitie in the common gouernment, like reason in the nature of man, shall rule all the multitude. That thing also doth Tully touch in this treatise, and sheweth men in authoritie their dueies, both in warre and peace, whereby they may make themselves, and theyr subiects happie & fortunate. And not onely them, but all sorts of men he admonisheth, what they haue to dooe, throughtout their lyfe, according to their age, trade, and estate, with respect to the circumstances of times, places, and persons. In the first booke hee first diuideth duetie into the perfect, & the meane, leauing the one (which belongeth to the ende of good, & is in it selfe right) to menne of perfection, and prosecuting the other in certaine rules and precepts, so that thereby euery man may frame and order his life. Then he leads vs to the finding out of duties, by taking aduise ment about the choice of honest things, and refusal  
of

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of the vn honest. Afterward hee sets forth the originall cause, and the chiefe parts of honestie, with thei<sup>r</sup> duties & properties. At the least, hee warneth vs to discerne the more, or most honest thing from the lesse or least, and alwaies in the vse thereof to prefer the greater. In the second, rehearsing profitable and vnprofitable things, hee sheweth how to attaine and to vse the profitable, and how to eschew the contrarie, and in the end makes a comparison of profits, teaching to preferre the greater befoze the smaller, or the more befoze fewer.

In the third, hee compareth profit hyth honestie, and wrth euery part therrof, not as if there could in deede bee contrarie betweene them, but he meanes the profit, and the honestie which seemeth not profitable, or of eyther of them the apparant shew, and he tells vs what is to be done, when they so seeme to strue one with another, & honesty allureth vs one way, and profit calleth vs another way.

Thus the whole matter is referred and applyed to honesty and profit, two principal points of good, the third (which wee call pleasure, and is placed by the Peripatetikes in the number of good things) Tully lyke a Stoike, doth but briefly touch, as a thing impertinent. But of the other two places, conteining al the dooings of men, Cicero hath told his minde, & left it vs in this booke: euen as fully, as in his lyfe tyme hee conceiued it in his head. For who euer saw in so few leaues so much morall doctrine, and politicall, set out with so many cunning cases, and feats oratoricall? what a sort of stories be ther so notable of themselves, so handsomely applyed, so elegant<sup>ly</sup> tolde? You shall not lightly



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Lightly reade the lyke, within so litle compasse, in any historian, that of purpose doth nothing else. How finely, and featly, bee the Poets verses all leadged? With what a discretion are some ancient writers reprooued? With what subtilty and finenesse of wit be certaine controuersies debated? Either of the chiefe Philosophie; or of all humanitie what point is there lacking? Aristotle artificially hath writtten of manners: but what for the lightnesse & eloquent handling of the treatise, what for the Latine tongue, which wee dooe vnder more then the Greekes: Tullye is aboue him, Panetius wrote of dutiefull demeanour: but though his worke in some points was Tullyes paterne: yet in all points, by all their iudgements, that euer saw them both: Tully is aboue him. Xeno the Stoike wrote of ductie: but seeing diuers Greekes, who are Tullyes inferiours, were as good as hee: certesse Tully is aboue him, Posidonius a Rhodian, medled with the same matter, but nothing to Tullius. So did Hecato, but nothing to Tullius. And many other mo of latter time: But Lord, how far bee they from Tullyus? Tullyus in his graue peers, after hee had heard a nūber of learned men: after he had read the most approued authours: after he had endyted so many volumes: & his stile was wahren ripe, his white sage, his learning full, his iudgemēt perfect: enterprised to draw this draught and made it of such excellence, as we may wel wonder at in deuyng, and yet not attaine in fol'owing. Tullius, hauing donne many glorious acts, in a state of gouernement most triumphant, learned the most part of these lessons by experience. Tullius out of the Greeke authours, of whom also  
some

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Some had beene gouernors in flourishing Empires, translated a great deale. Tullius to Marcus, his welbeloued sonne, abiding euē at Athens, among the best Philosophers, was not afraid to send this parcell of Philosophie. No doubt as welcome it was to the learned Athenians, as the Greekes doings were to the Romaines, or as now adayes, the French and Italyans, well framed writings were to those Englishmen, that vnderstand them, yea & so much the more welcome, as it was a rare thing then, to see that kinde of knowledge expressed in pure latine.

But in Rome, in Italy, in Europa, in all quarters, where latine speech had place, O, so it was embraced at all times, of all men, in euery degree, order and estate. Rulers haue heere found much wittie pollicie appertaining to the gouernaunce of Realmes, householders and Parents haue piked out of these booke's vertuous instructions for their children and their seruants. Doctors and diuines haue heere met with morall sentence, and ensamples very excellent. Ciuill lawyers haue espied, touching iustice and equitie, both rules appointed and cases discussed.

Schoolemen haue taken heerehence problemes and questions, to debate at large, and haue fetched fro hence philosophicall conclusions, with reasons and arguments to proue and to disproue. Orators haue bene well furnished heereby with sundry graces and ornaments of speech, and in the like manner of matter, haue marked howe to bestowe their stile. Rhetoricians, who for their exercise doe vse declamations, haue taken out of this common places, like large fieldes, where men may walke at libertie.

## To the Reader.

bertle. Schoolemaisters neuer wist of finer phras-  
ses, for to make their Schollers acquainted with  
the very vaine of the Latine language. At fewe  
wordes, all men that of wis dome be studious, may  
get somewhat heerein to sharpe the wit, to store the  
intelligence, to feede the minde, to quicken the spi-  
rit, to augment the reason, to direct the appetite, to  
frame the tongue, to fashion the manners, mozeor  
uer to rule, to obey, to dispute, to determine, to  
teach, to perswade, and to every needefull purpose  
in a mans life.

Unlesse the selfe thing witnessle as much as I  
saie, let me not be credited : but in case both the  
booke speake for it selfe, and to my testimon all I  
am able to adioyne princely peeres, wel beknow-  
en, and well approud, then shall both the worthi-  
nesse of the worke, and also the weight of the au-  
thoritie winne credit and assent. Tullies dueties  
when Cesar Augustus had read ouer, stil standing  
on his feet, as he againe deliuered them to his ne-  
pew, of whom he had them. Eloquent (quoth he)  
was this man, eloquent hee was indeede : and one  
that loued well his Countrie. Tullies dueties had  
Seuerus the noble Emperour, in so great price, &  
reputation : that of all the Romanes Bookes, to  
read them he thought him best apaid. Tullies due-  
ties haue I knowen good Clarke and well learn-  
ed men beare about in theyr bosomes, laying it full  
neere theyr hearts, that they would haue lodged in  
theyr heads : and entirely louing Tullies heauen-  
ly company, which way so euer they went. Tullies  
dueties dyd Erasmus the Roterdame, so greatly  
commend : that in making mention of them, hee  
could not chose but breake forth into these words.

What?



## To the Reader.

What? writeth an Ethnike all this to Ethnikes?  
a prophane man to a prophane? Yet in his precepts  
of conuersation, O Lord, what an equitie, what  
an holinesse, what sinceritie, what veritie? How  
well doth all together accord with nature? How  
is all framed even by good reason? what a con-  
science requireth hee of such as gouerne that  
state? How plainly setteth hee beefore our eyes  
the meruaylous and the amiable, beautifulnesse  
of vertue? How much, how religiously, yea how  
like a diuine doth he teach of helping and releuing  
other men? of getting and maintaining of loue &  
friendship? of the contempt of those vanities, for  
which the common sort of Christian folke, will ei-  
ther do or suffer, they care not what. Finally, hee  
denieth them full worthy, and full meete both for  
schoole maisters in their schooles to read vnto  
the youth, and also for old men againe and againe  
to vse, and to peruse. These riches and treasures of  
wit and wisdom, as Cicero transported out of  
Greece into Italy, so haue I fetched from thence,  
and conueied them into England, & haue caused al-  
so Marcus Tullius (more then he could do when  
he was aliue) to speake English. Meruailous is  
the matter, flowing the eloquence, rich the store of  
stufte, and full artificiall the inditing: but how I, in  
our manner of speech haue expressed the same the  
more the booke be perused, the better it may chance  
to appeare. None other translation in our tongue  
haue I seene but one, which is of all men of  
any learning so well liked, that they repute it &  
count it as none, yet if ye list to compare this  
some-what with that nothing, peraduenture  
this somewhat will seeme somewhat the more.

## To the Reader.

Howbeit looke, what rule the Rethorician giues in precept to be obserued of an Orator, in telling of his tale, that it be short and without idle words, that it be plaine, & without darke sense, that it bee prouable, and without any swaruing from the truth, the same rule should be vsed in examining & iudgeing of translation. For if it be not as brieue as the very authors text requireth, what so is added to his perfect stile, shall appeare superfluous, and to serue rather to the making of some paraphrase or commentarie. Therto, if it bee vttered with inkehorne termes and not with vsuall words: or if it bee phrased with wrested or far fetched formes of speech, not fine but harsh, not easie but hard, not naturall but violent it shall seeme to bee. Then also in case it yeeld not the meaning of the author, but either following faulse, or misled by error, forsakes the true pattern, it cannot be approued for a faithfull & sure interpretation, which ought to bee taken for the greatest praise of all. These points as I haue studied to performe, so where I haue not alwaies attained vnto them, I shall desire you gentle reader, gently to consider both the excellencie of the author, who is a perfect Orator, & also the greatnes of the matter, which is profound philosophie. Neuerthelesse, such as be exquisite in both these languages already, may (& that with some profit & pleasure) trie what I haue done, and what they can do, all vnder one: if, laying my translation a part, they will set the latine before them, & so assaie their owne vaine. Either they shall themselves the better, when they confer it with my poore workmanship, or els perchance con mce the more thanke for attempting, following, & accomplishing of this  
enters

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enterprise. Be it so, one hath neither the latine, nor the English eloquence: yet by the benefit of nature, such a man may doe much: namely, if he thereto ad-  
soyne vse and exercise, heere is for him occasion both to whet his wit, and also to file his tongue. For although an Englishman hath his mother tongue, and can talke a pace, as hee learned of his damme, yet is it noe thing to tittle tattle, I wot not how, or to chatter lyke a Jay, and another to bestow his words wisely, orderly, pleasantly, and pithely.

Such as haue English meetely well, and but a smattering or small taste in the Latine, which number is great among the schollers of this realme: may heereby fall into such acquaintance, and familiaritie with this most excellent Latine man, that neither shall his deuyce seeme hard, nor his art obscure, nor his stile strange. I dare well say, if this worke hap into a good students hand, hee will not thincke it ynough to run ouer it once, as wee seere with trifles and toys, but aduisedly, and with good leasure, three or foure, or fīue times, hee will read it, and read it, and read it agayne: first by the principall poynts, by the definitions, and the diuisions: to see what is treated, how far forth, in what order, & with what varietie: then to marke the precepts, reasons, conclusion, & common places. After, vnto the sayd places, to refer all his stories, with the verses poetically. Finally, as well in English as the Latine, to weigh well properties of words, fashions of phrases, and the ornaments of both. Moreover, many clarks haue I known eare this, which could conceiue & vnderstand full well, whose tongue nevertheless in bitterance and vse of speech was in a manner rained. Yea, and some that could also speak  
Latine



## To the Reader.

Latine readily, and well fauouredly, who to haue done as much in our language, & to haue handled the same matter, would haue been halfe blank, what neede mo words. I desire my trauell no other wise to bee taken in worth, then the diligent peruser shal in effect find fruit thereof. Now therfore, good reader, fare yee wel, & remember how vnfit (as Aristotle saith) & vnprofitable hearers of morrall science yong men bee, as long as either they follow theyr youthly affections, or do continue vnskillfull, & rude in y<sup>e</sup> deeds, that of ductie belong to mans life. For, all y<sup>e</sup> while they peeled themselves to be led away, of their mad moods, if you talke to them of vertues, & of maners: yee dooe but sing the deafe a song. And how shall they bee able to iudge, what is discretely, rightfully, baliantly, moderatly, & worthily doone, who neither haue any such qualitie, nor vnderstand by experience any point of the same: yet forasmuch as it must of necessitie bee knownen what is vertue and vice, beefore a man can well & wisely liue, embracing the one, and eschewing the other, either to make sound the sick minde (in case it be misleased, & hath a will to be relieved) take this doctrine as a medicin, or else to confirme the whole y<sup>e</sup> is to mean, in case you haue been well and honestly trained by, more perfectly to perceiue the path of good maners, wherein you may walke with entire delight, & come to y<sup>e</sup> honour of a laudable life. Thus I haue holden you, good reader, with my homely tale: now will I not borrow your patience any longer, but for your gentlenesse and studious disposition, will straight way send you from the scholler to the Master, and from mee to the speech of this diuine Orator and worthy Philosopher.

FINIS.



**MARCVS TVL-**  
lius Ciceroes first booke  
of duties to Marcus  
his sonne.



**MARCI TVL-**  
lij Ciceronis de of-  
ficiis ad Marcum  
filium. Lib. I.

**A**lthough you son Marke  
hauing now a yere heard  
Cratippus, & that in A-  
thens must needs flow ful of  
rules and lessons of Philoso-  
phie: because of the passing  
great excellencie both of your  
teacher, & of the citie: where  
of the one may store you with  
knowledge, & other with en-  
samples: yet as my selfe, to  
mine owne furderaunce, haue  
euermore ioynded the Latine  
with the Greeke: and haue  
done that, not onely in Philo-  
sophye but also in the practise  
of Oratorie: I thinke it meete  
for you to doe the same, that  
a like you may bee in the rea-  
diness of both the kindes of e-  
loquence. To y<sup>e</sup> which purpose  
verilie wee (as wee suppose)  
haue brought great aid to our  
countrimen: that not onely

**Q**uanquam te Mar-  
ce fili annum iam  
audientē Cra-  
tippum, idq; Athenis,  
abundare oportet præ-  
ceptis institutisq; Phi-  
losophiæ, propter sum-  
mam & doctoris au-  
thoritatem, & vrbis:  
quorum alter te scienti-  
a augere potest, altera  
exemplis: tamen, vt ipse  
ad meam vtilitatē sem-  
per cum græcis latina cō-  
iunxi, neque id in Phi-  
losophia solū, sed etiam  
in dicendi exercitatione  
feci: idem tibi censeo fa-  
ciendum, vt par sis in v-  
triusq; orationis facul-  
tate. Quā quidem ad rem  
nos (vt videmur) magnū  
attulimus adiumentum  
hominibus nostris: vt

A.

non

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non modò græcarum literarum rudes, sed etiam docti aliquantum se arbitrentur adeptos & ad dicendum & ad iudicandum. Quamobrem discas tu quidem à principe huius ætatis Philosophorum, et discas quam diu voles (tam diu autem velle debebis, quoad te quantum proficias non poenitebit). Sed tamen nostra legens, non multum a Peripateticis dissidentia, (quoniam utriq; & Socratici & Platonici esse volumus) de rebus ipsis vtère tuo iudicio: nihil enim impedio, orationem autem latinam efficies profectò legendis nostris plenior. Nec vero arroganter hoc dictum existimari velim: nam philosophandi scientiam concedens multis, quod est Oratoris proprium, aptè, distinctè, ornatèque dicere, (quoniam in eo studio, ætatem consumpsi) si id mihi assumo, videor

the ignorant of the Greeke tongue, but also the learned reckon themselves thereby to haue attained somewhat, both to speech eloquent, and also to iudgement. Wherefore you shall learne in deepe of the prince of philosophers in this age: and you shall learne so long as you will (so long perdie ought you to bee willing, as it shall not repent yee how much yee profit.) But yet reading my Bookes, not greatly variant from the Peripatetikes, because wee will bee both Socratics & Platonians, of the verie matters vse your owne iudgement: for I nothing let you: but of trouth, by reading my workes, you shall make your latine tongue the fuller. For yet I would haue this supposed of a haunt to bee spoken. For giuing place to manie in the knowledge of Philosophie, if I take vpon mee that, which is an Orators propriety, aptly, orderlie, and finely to speake: because I haue passed my time in that study, I seeme after



after a certaine sort, as in mine owne right to challenge it. For which cause I earnestly exhort you my Cicero, that dilligently you reade not onely my Orations, but these booke also of Philosophie, which now wellnigh to those haue euenned themselves in quantitie. For there is a greater force of eloquence in those: but this euen and tempered kinde of stile, is also to bee regarded. And this truely I see hath happened to none of the Greekes as yet: that one man trauayled in both the kindes: and followed as well that lawfully trade of pleading, as this quiet forme of reasoning: except perchaunce Demetrius Phalerius may bee counted in this number, who was a subtile reasoner, no vehement Oratour, pleasaunt, yet so as you may know him for Theophrastus Scholier. But how much wee haue profited in both, I referre it to other mens iudgement: certes wee haue followed both, I thinke verily

id meo iure quodam modo vindicare. Quam obrem magnopere te hortor, mi Cicero, vt nō solum orationes meas, sed hos etiam de Philosophia libros, qui se iam illis ferē æquarunt, studio se legas. Vis enim dicendi maior est in illis: sed hoc quoque colendum est æquabile, & temperatum orationis genus. Et id quidem ne mini Græcorum video adhuc contigisse, vt idem vtroque in genere laboraret, sequereturque & illud forense dicendi, & hoc quietum disputandi genus. Nisi fortē Demetrius Phalerius in hoc numero haberi potest, disputator subtilis, orator parum vehemens: dulcis tamen, vt Theophrasti discipulum possis agnoscere. Nos autem quantum in vtroq; profecerimus, aliorū sit iudicium, vtrunq; certē secuti sumus. Equidem et

A. ij.      Plato-

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Platonem existimo, si genus id forense dicendi tractare voluisset, grauissimè, et copiosissimè potuisset dicere. Et Demosthenem, si illa, quæ a Platone didicerat, tenuisset, & pronunciare voluisset ornatè, splendideq; facere potuisset. Eodemq; modo de Aristotele, et Isocrate iudico: quorum vterq; suo studio delectatus, contempsit alterum. Sed cum statuissem aliquid hoc tempore ad te scribere, & multa posthac, ab eo exordiri volui maximè, quod et ætati tuæ esset aptissimum, & authoritati mee grauissimum. Nam cum multa sint in Philosophia, et graui et vtilia accuratè, copiosèque a Philosophis disputata: latissimè patère videntur ea, quæ de officijs tradita ab illis et præcepta sunt. Nulla enim vitæ pars, neque publicis, neque priuatis, neque

Plato could haue spoken be-  
rie grauelye, and plentifully,  
if hee would haue practised  
the lawlyke sort of pleading,  
and also Demosthenes could  
haue doone full finelye and  
seemely, if hee had kept still,  
and would haue vttered those  
things which hee learned of  
Plato. And after the same  
sort I iudge of Aristotle,  
and Isocrates: either of  
which delighted with his own  
study, despised the other. But  
when I hadde determined to  
write somewhat vnto you at  
this season and manye things  
heereafter: I was most wil-  
ling to beeginne with that,  
which both for your age  
should bee fittest, and for my  
authoritie the grauest. For  
whereas manye matters in  
Philosophye, both weightye  
and profitable, bee dilligent-  
lye and plentifullye disputed  
by Philosophers, those seeme  
most largely to spread, which  
of dueties by them haue beene  
taught and prescribed. For  
no part of mannes lyfe, ney-  
ther in common nor priuate  
affayres, neyther in matters  
abzoade,

abroade, nor at home, ney-  
ther if yee doe ought alone,  
nor if yee contract with ano-  
ther, may bee without due-  
tie: and in regarding there-  
of resteth all honestie of lyfe,  
and in despising the same, dis-  
honestie. And this no doubt  
is a common matter with-all  
the Philosophers. For who  
is hee, which giueing no rule  
of duetie, dare name himse-  
lf a Philosopher. But there bee  
 sundry doctrines, which in  
setting forth the ends of  
good and badde, do misturne  
all duetie. For who in such  
wise appoynteth the Soue-  
raigne good that it hath no-  
thing adioyned with vertue:  
and measureth the same by  
his commodities, and not  
by honestie: it commeth to  
passe that this manne, if in  
himselfe hee agree, and bee  
not some tyme ouer-commen-  
d with the goodnesse of Na-  
ture, canne vse neither friend-  
shippe, neither iustice, nor ly-  
beralitie: and in no wise  
doubtlesse canne hee bee a  
manly manne who iudgeth  
paine the vtterest euill: nor

forensibus, neque do-  
mesticis in rebus, neq;  
si tecum agas quid, ne-  
que si cum altero con-  
trahas, vacare officio po-  
test. In eoque colendo  
sita vitæ est honestas  
omnis, & in negligen-  
do turpitudō. Atque  
hec quidem questio cō-  
munis est omnium phi-  
losophorum. Quis e-  
nim est, qui nullis offi-  
cij præceptis traden-  
dis Philosophum se au-  
deat dicere? Sed fuit  
nonnullæ disciplinæ,  
quæ propositis bono-  
rum, et malorum fini-  
bus, officium omne  
peruertunt. Nam qui  
summum bonum sic in-  
stituit, vt nihil habeat  
cum virtute coniunctū:  
idque suis commodis:  
non honestate metitur:  
hic si sibi ipse consenti-  
at, & non interdū naturæ  
bonitate vincatur, ne-  
q; amicitia colere possit,  
nec iusticiā, nec liberali-  
tatē. Fortis vero dolorē  
sumū malum iudicās, aut

A. itj.

tem-



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temperans, voluptatem  
sumum bonorū statuens,  
esse certē nullo modo po-  
test. Quæ quāq; ita sunt  
in promptu, vt res dispu-  
tatione non egeat: sunt  
tamen à nobis alio loco  
disputata. Hæ discipline  
igitur, si sibi consenta-  
neæ esse velint, de offi-  
cio nihil queant dicere:  
neq; vlla officij præcep-  
ta firma, stabilia, con-  
iuncta naturæ tradi pos-  
sunt, nisi aut ab ijs qui  
solam aut ab ijs qui maxi-  
mè honestatē propter se  
dicant expetendam. Ita-  
que ppria est ea præcep-  
tio Stoicorum et Acade-  
micorum et Peripatetico-  
rum quoniam Aristonis  
Pyrrhonis, & Herilli iam-  
pridem explosa sententia  
est, qui tamen haberent  
ius suum disputandi de  
officio, si rerum aliquem  
delectum reliquissent, vt  
ad officij inuentionem  
aditus esset. Sequemur  
igitur hoc quidem tem-  
pore, et in hac quæstio-  
ne potissimum Stoicos:

he a temperat man, who coun-  
teth pleasure the gretest good,  
which points though they bee  
so apparant y the thing nee-  
deth no disputation: yet they  
bee debated by vs in another  
place. These doctrines then,  
if they will in themselves ac-  
cord, can say nothing of due-  
ty: neither of duty can there  
bee given any precepts, sure,  
stedfast, & with nature agree-  
able, but by them, who main-  
taine that neither onely, or  
chiefly, honestie for it selfe is  
to bee embraced. And therfore  
the teaching thereof properly  
beelongs to the Stoicks, & A-  
cademicks, and Peripateticks,  
because Aristotles, Pirrhones,  
and Herillus opinion long  
since hath beene hist out of the  
Scholes, who neuertheless  
should haue their lawfull li-  
bertye to reason of dutie, if  
they had lost anye choyse of  
things, that to the outfin-  
ding of dutie there myght  
haue beene an entry, wee will  
follow therefore at this sea-  
son, and in this matter, chiefely  
lye the Stoikes, not as a  
translatour, but as wee are ac-  
custo

customed, wee will draw out of their fountaines after our owne minde and iudgement, as much and in such sort, as shall seeme good. It liketh mee then, sithas all my discourse must bee of duety, to define beefore what is deute, which I maruaile, was ouer escaped of Panetius. For euery teaching of any matter, that by an orderly trade is taken in hand, must beegin by proceesse at a definition, that it maye bee perceiued, what the thing is, whereof the treating goeth. All the question of dueties twofolde. One kinde there is, that beelongs to the ende of good, an other that standeth in precepts, by the which the trade of lyfe may bee fashioned in euery condicion.

Of the former kinde such examples there bee whether all dueties bee perfect, or no: whether one duetie bee more than an other? and such as bee of the same sort.

But those dueties, whereof Preceptes bee geuen, though they appertayne to

non vt interpretes, sed (vt solemus) é fontibus eorum, iudicio, arbitrioq; nostro quantum quoque modo videbitur, hauriemus. Placet igitur (quoniam disputatio omnis de officio futura est) antè definire quid sit officiū: quod à Panætio præmissum esse miror.

Omnis enim, quæ a ratione suscipitur de aliqua re institutio, debet à definitione proficisci: vt intelligatur quid sit, de quo disputetur. Omnis de officio duplex est questio. Vnū genus est, quod ptinet ad finem bonorū: alterum qd positū est in præceptis, quibus in omnes ptes vsus vitæ confirmari possit. Superioris generis huiusmodi exempla sunt. Omnia ne officia perfecta sint? numquid officiū aliud alio maius sit: & quæ sunt generis eiusdem. Quorū autem officiorum præcepta traduntur, ea quanquam pertinent ad

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finem bonorum, tamen id minus apparet, quia magis ad institutionem vitæ communis spectare videntur: de quibus est nobis his libris explicandum. Atque etiam alia diuisione est officij. Nam et mediū quoddam officium dicitur, et perfectum. Perfectum officium rectum (opinor) vocemus, quod Græci κατ'ὀρθον. Hoc autem commune, quod ij καθ'ῆκον vocant. Atque ea sic definiunt: vt rectum quod sit, id perfectum officium esse definiant. Medium autem officium id esse dicant, quod cur factū sit, ratio probabilis reddi possit. Triplex igitur est, vt Panætio videtur, consilij capiendi deliberatio. Nam honestū nē factū sit, an turpe, dubitant, id quod in deliberationem cadit: in quo considerando, sæpe animi in cōtrarias sententias distrahuntur.

the end of good, yet the same doeth lesse appeare, beccause they seeme rather to beelonge to the framing of lyfe, of the which in these booke, wee haue to open our minde. And also there is another diuision of duetye. For there is sayde to bee both a certaine meane duetye, and a perfect. I suppose, wee may call the perfect, or the right, duety, Rectum, which the GREEKES doe tearme κατ'ὀρθον, and this meane or common deutie Commune, which they call καθ'ῆκον. And those they doe thus define, that the same which is Rectum, they define to bee the perfect deuty: and that, they say is the meane deuty, for the which a probable reason may bee rendered why it is done.

Aduiseement then in counsell taking is three folde, as seemeth to Panætius. For first men doubt, whether that which falleth in aduiseement, bee honest to be done, or dishonest: in weyghing whereof many tymes mennes mindes are diuersly drawen into contrary



trarie opinions. Next, they search and cast whether that, wherebpon they take aduise-ment, auaille or no, to commoditie, and pleasauntnesse of life to riches, and plentye of goods, to power, and swaie of rule, whereby they may help both themselues, and theirs, all which aduise-ment falleth into the nature of profit. The third kinde of doubting is, when it that appeareth to bee profitable, seemeth to strīue with honestye. For whereas profite doeth seeme to draw to hir honestye, contrarywise, to call backe to hir: it commeth to passe, that the minde in aduising is haied to and fro, and it bringeth a perplexed study of imagination, whereas in diuiding, it is a foule fault to leaue out anye thing, two thinges bee ouerslipped in this diuision. For not onely whether the thing bee honest, or dishonest, is vsed to bee aduised vpon: but also two honest things layde beefore vs, whether is the honestest: and likewise two

Tum autem, inquirent aut consultant ad vite commoditatem, iucunditatemque, ad facultates rerum, atque copias, ad opes, ad potentiam, quibus & se possint iuuare, & suos, conducant id necnè, de quo deliberant, quæ deliberatio omnis in rationem utilitatis cadit. Tertium dubitandi genus est, cū pugnare videtur cum honesto id, quod videtur utile. Cum enim utilitas ad se rapere, honestas contrà remocare ad se videtur, fit vt distrahat in deliberando animus, afferatque ancipitem curam cogitandi. Hac diuisione (cum præterire aliquid maximum vitium in diuidendo sit) duo prætermissa sunt. Nec enim solum vtrum honestum, an turpe sit, deliberari solet: sed etiam duobus propositis honestis, vtrum honestius. Itemque duobus propositis

A.v.

vtili.

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Utilibus, vtrum vtilius. Ita, quam ille triplicem putauit esse rationem : in quinque partes distribui debere reperitur.

Primum igitur est de honesto, sed dupliciter, tum pari ratione de vtili : post de comparatione eorum differendum. Principio generi animantium omni est à natura tributum, vt se, vitam, corpusque tueatur, declinetque ea, quæ ei nocitura videantur : omniaque quæ sint ad viuendum necessaria inquirat & parat, vt pastum, vt latibula, vt alia eiusdem generis.

Comune autem animantium omnium est coniunctionis appetitus, procreandi causa, & cura quidam eorum, quæ præcreata sunt. Sed inter hominem & beluam hoc maxime interest, quod hæc tantum quantum sensu mouetur, ad id solum quod adest, quodque præsens est se accommodat, paululum admodum sentiens præ-

profitable things sette beefore vs, whether is the more profitable. So the way which he tooke to bee but threefolde, is found meete to bee diuided into fīue parts. First then wee haue to treat of honestie, but that in two sorts, next, as many wayes of profit, lastly, of the comparison of them both. From the beeginning, to euery kinde of liuing creature, it is giuen by nature to defend himselfe, his lyfe, and his body, and auoide those things which may seeme likely to bee harmefull, and seeke and get all things that be necessary to liue withall, as feeding, as couertes, as other of the same sort. The appetite also of coniunging together for ingendering sake, and a certaine tendernesse ouer them that be ingendered : is a common thing to all liuing creatures. But beetweene man and beast, this chieflie is the difference, that a beast so farre as hee is moued by sence, bendeth himselfe to that onely which is present and at hand, verie smally perceiving ought past or to come, but

but man who is partaker of reason, whereby hee seeth sequences, beeholdeth grounds & causes of things, is not ignorant of their proceedings, and as it were their foregoings, compareth semblances, and with things present, ioyneth and knitteth thinges to come, doth soone espie the course of his whole lyfe, & to the leading thereof purueieth things necessary. And y<sup>e</sup> sayd nature, through the power of reason, winneth man to man, to a felloshippe both in talke and also of lyfe, & ingendereth a certaine speciall fauor, chiefly to themwarde that are of them begotten, and stirreth by the companies of men that they bee willing both to bee assembled together, and also to bee seruisable one to another, and for those causes that they studie to puruay such things as may furnish them for their apparell, and for sustentance, not onely for themselves, but for their wiues, children, & other, who they holde deare, and ought to defend, which care stir-

teritum, aut futurum. Homo autem quoniam rationis est particeps, consequentia cernit, principia & causas rerum videt, earumque progressus: & quasi antecessiones non ignorat: similitudines comparat: rebusque presentibus adiungit atque annectit futuras: facile totius vite cursum videt, ad eamque degendam pręparat res necessarias. Eademque natura vi rationis hominem conciliat homini & ad orationis, & ad vitę societatem. Ingeneratque in primis pręcipuum quendam amorem in eos, qui pcreati sunt: impellitque, vt hominum coetus & celebrare inter se, & sibi obedire velit: ob easque causas studeat parare ea, quę suppedient, & ad cultum & ad victum, nec sibi soli, sed coniugi, liberis, cæterisque; quos charos habeat, tuerique debeat. Quę cura



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exuscitat etiam animos,  
et maiores ad rem ge-  
rendam facit. In primis  
q̄; hominum est propria  
veri inquisitio atq̄; in-  
uestigatio. Itaque cum  
sumus necessariis ne-  
gotiis curisque vacui, tū  
auemus aliquid videre,  
audire, ac discere, cogni-  
tionēq̄; rerum aut occul-  
tarum, aut admirabilium  
ad bene beateq̄; viuen-  
dum necessariam duci-  
mus. Ex quo intelligen-  
tur, quod verum, sim-  
plex, sincerumq̄; sit, id  
esse naturę hominis ap-  
tissimum. Huic veri vi-  
dendi cupiditati adiun-  
cta est appetitio quædam  
principatus: vt nemini  
parere animus bene a  
natura informat<sup>9</sup> velit,  
nisi præcipienti, aut do-  
centi, aut vtilitatis cau-  
sa iustē & legitimē im-  
peranti, ex quo animi  
magnitudo existit, hu-  
manarumq̄; rerum con-  
tēptio. Nec vero illa par-  
ua vis naturę est, ratio-  
nisque, quod vnū hoc a-

reth by also men's spirits and  
makes them of more courage  
to doe their businesse. Also  
searching and tracing out of  
trouth is chiefe man's pro-  
pertie. Therefore when wee  
bee boyde of necessarie cares  
and businesse, then wee couet  
to see, to heere, and to learne  
somewhat, and wee thinke  
the knowledge of things cy-  
ther hidden, or wonderous,  
verie necessarie to good and  
blissfull lyfe, whereof is ga-  
thered, that wha so is true,  
simple, and pure, is fittest for  
the nature of man. There is  
ioyned to this loue of espy-  
ing the trouth, a certayne de-  
sire of soueraigntie, so as a  
well framed minde by nature  
is willing to obeye no man,  
but him that instructeth and  
teacheth: or him that for  
cause of his weale, iustlye  
and lawfullye gouerneth,  
wherein standeth the great-  
nesse of courage, and the con-  
tempt of worldlye vanities.  
And that truely is no small  
power of nature and reason,  
that this creature onely per-  
ceiues what is order: what  
it

It is, that becommeth in deeds and words : and what is measure . And therefore of those same things which bee discerned by sight, no other creature perceiueth the beauty, the grace and the proportion of parts, which nature and reason conueying from the eyes to the munde, do y more iudge a beauty, a stedfastnesse, & an order in counsellis, and deeds fit to be obserued, and is heedfull, that it dooe nothing vncomely or womannishly, and thereto both in all thoughts and deeds, that nothing wantonly eyther it dooe or imagine. Of which things is forged, and made that honestie, that wee seeke : which though it bee not aduanced, yet honestly it is, and wee truely say, though of no man it bee commended, is yet commendable by nature . You see, sonne Marke, the verie forme doubtlesse, and (as it were) the face of honestie : which in case it might bee beeholden with the eyes, would stirre by, (as saith Plato) a meruailous loue of wisdome.

nimal sentit quid sit or-  
do, quid deceat, in factis,  
dictisq; , qui sit modus;  
Itaq; eorum ipsorum,  
que aspectu sentiuntur,  
nullū aliud animal pul-  
chritudinem, venustatē  
conuenientiam partium  
sentit. Quam similitu-  
dinem natura ratioq; ab  
oculis ad animū transfe-  
rens multò etiam magis  
pulchritudinē, cōstatiā,  
ordinē in cōsilijs, factis-  
q; conseruādū putat : ca-  
uetq; ne quid indecorē,  
effēminatēue faciat: tum  
in omnibus et opinionibus  
& factis nequid libi-  
dinosè aut faciat, aut  
cogitet. Quibus ex rebus  
conflatur, et efficitur id  
quod querimus honestū,  
quod etiā si nobilitatum  
non sit, tamē honestū sit:  
quodq; verē dicimus, e-  
tiam si a nullo laude-  
tur, laudabile esse natu-  
ra. Formam quidē ipsam,  
Marce fili, et tanquā fa-  
ciē honestatis vides: que  
si oculis cerneretur, mi-  
rabilem amorem (ut ait  
Plato)

## de Officijs.

Plato) excitaret sapientie. Sed omne quod honestum est, id quatuor partium oritur ex aliqua. Aut enim in perspicacia veri, solertiaque versatur: aut in hominum societate tuenda, tribuendoq; quod suum est, cuiq; & rerum contractarum fide: aut in animi excelsi, atque inuicti magnitudine, ac robore, aut in omnium, que fiunt, queq; dicuntur, ordine & modo, in quo inest modestia & temperantia. Quæ quatuor quamquam inter se colligata, atq; implicita sunt: tamen ex singulis certa officiorum genera nascuntur, velut ex ea parte quæ primo descripta est (in qua sapientia & prudentia ponimus) inest indagatio atq; inuentio veri: eiusq; virtutis hoc munus est proprium. Vt enim quisq; maxime perspicit, quid in requaq; verissimum sit, quique & acutissime et celerime potest et vide-

But all that is honest, springeth out of some one of the fower braunches. For it is occupied eyther in the insight of truth and skilfulnesse, or in preserving the felowshippe of men, and giuing euerie bodie his own, and keeping a faithfulnessse in contracts, or in the greatnesse and mightynesse of haute and vnconquerable courage: or else in the order & measure of all things that are done and sayde, wherein resteth discretion & temperance, which foure, though they be linked & tangled together, yet certaine seuerall kindes of duties do grow out of euerie one of them, as out of the branch, the first was described (wherein we place wisdome and prudence) issues the searching, & trying out of trouth: and this is the very proper woork of that vertue. For who so thorough seeth most, what in euerie case is truest: and who most wittely and readelye is able both to see and giue the reason: hee worthely is wont to be reputed the wisest, and the wisest, wherefore



fore to this vertue trouth is appoynted, as the matter wherebpon to worke, and wherein to bee occupied. But to the other thre vertues are assigned necessities to get, and keepe those things, whereby the trade of mannes lyfe is mayntayned: to the intent the felloshippe and neyghbourhoode of men bee preserved: and the worthinesse and greatnesse of courage maye shine abroad, not onely in augmenting of substance, and procuring of commodities both to him and to his, but also much more in despying of the same. But order, and steadfastnesse, and measure keepyng, and such lyke, haue to doe in that kinde: whereunto must bee ioyned a certayne dooing, and not onely an earnest occupying of the wit. For applying a certayne meane, & order to such things as bee meddeled within mans lyfe, wee shall obserue both honestye and comelynesse.

Now of those foure places, wherebunto wee haue diuided the nature and strength

re & explicarationem, is prudentissim<sup>o</sup> & sapientissimus rite haberi solet. Quo circa, huic quasi materia quam tractet, & in qua versetur, subiecta est veritas. Reliquis autē trib<sup>us</sup> virtutibus necessitates ppositę sunt ad eas res parandas, tuendasque, quib<sup>us</sup> actio vite continetur, vt & societas hominū, coniunctioque seruatur, & animi excellentia magnitudoque, cū in augendis opib<sup>us</sup>, vtilitatibusque, & sibi & suis cōperandis, tūm multo magis in his ipsis despiciedis luceat. Ordo autem & constancia & moderatio, & ea quę sunt ijs similia, versatur in eo genere, ad quod adhibenda est qdam actio non solum mentis agitatio. His enim rebus, quę tractantur in vita, modum quendam adhibentes & ordinem, honestatem, & decus cōseruabimus. Ex quatuor autem locis, in quos honesti naturam,

vini.

## de Officijs.

vimque diuissimus primus ille, qui in vericognitione consistit, maximè naturam attingit humanam. Omnes enim trahimur, et ducimur ad cognitionis, et scientiæ cupiditatem: in qua excellere pulchrum putamus: labi autem et errare, nescire, et decipi, et malum, et turpe ducimus. In hoc genere et naturali, et honesto, duo vitia vitanda sunt: vnum ne incognita pro cognitis habeamus, iisque temerè assentiamur, quod vitium effugere qui velit (omnes autem velle debent) adhibebit ad considerandas res, et tempus, et diligentiam. Alterū est vitium, quod quidā nimis magnū studium, multamque operā in res obscuras, atque difficiles conferunt, easdemq; non necessarias. Quibus vitijs declinatis quod in rebus honestis et cognitione dignis operis curæque ponetur,

of honestie, the same first that consisteth in knowledge of trouth, toucheth mans kinde nearest of all. For wee bee all drawne, and led to a desire of knowledge, and science, wherein to passe other, wee think it a goodly matter: but to slide to erre, to bee ignorant, to be deceiued, wee count it both euill and dishonest. In this kinde of vertue which is both naturall, and honest: two faults must bee auoyded: one, that we take not things wee know not, as though wee knew them, and rashlye assent to them, which fault who so will eschew (and all ought to be willing) must emploie to the considering of matters both leasure and diligence. Another fault there is, that some bestow ouer great studie, and too much trauaile, in darke and difficulte things, and the same nothing necessarye, which faultes auoyded, what so euer labour and diligence shall bee spent in honest thinges, and worthy of knowledge, the same of right shall bee commended

as in Astrologie, wee haue heard what Caius Sulpiti-  
us was in Geometrie, wee  
knewe what Sextus Pom-  
peius could doe, many in Lo-  
gicke, moe in the ciuill lawe,  
which sciences bee all occu-  
pied in tracing out the truth,  
with the studie whercof to  
bee drawne from trauayling  
in matters, it is against due-  
tie. For vertues whole praise  
consisteth in dooing, from  
which yet oftentimes there is  
had a resting while, and ther  
bee graunted manye recour-  
ses againe vnto studie, yea,  
and the musling of the minde,  
that neuer ceaseth, may con-  
tinue vs in the studies of con-  
templation, euen without our  
travaile. But lette euerie  
thought and moouing of the  
minde bee occupied, either in  
taking of aduismēt about  
honest matters, and pertay-  
ning to the good and blisse-  
full life, or else in studies of  
science and knowledge. And  
thus haue wee spoken of the  
first fountaine of duetye.  
But of the other three ver-  
tues remaining, that kinde

id iure laudabitur, vt in  
Astrologia, C. Sulpitiū  
audiuimus : in Geome-  
tria, Sextum Pompeium  
ipse cognouimus : mul-  
tos in dialecticis, plures  
in iure ciuili : quę om-  
nes artes in veri inuesti-  
gatione versantur, cu-  
ius studio a rebus agen-  
dis abduci, contra offi-  
cium est. Virtutis enim  
laus omnis in actione  
consistit : a qua tamen  
sape fit intermissio,  
multique dantur ad stu-  
dia reditus : tum agita-  
tio mentis, quę nun-  
quam acquiescit, potest  
nos in studijs cogitati-  
onis, etiam sine opera  
nostra continere. Om-  
nis autem cogitatio,  
motusq; animi, aut in  
consilijs capiendis de  
rebus honestis, et perti-  
nentibus ad bene, beatę  
q; viuendū, aut in studi-  
is scientiæ, cognitionis-  
que versatur. Ac de  
primo quidem officij  
fonte diximus. De tribus  
autem reliquis latissimē



## de Officijs.

patet ea ratio, qua societas hominum inter ipsos, vt vitæ quasi communitas continetur. Cuius partes duæ sunt. Iustitia, in qua virtutis splendor est maximus, ex qua boni viri nominantur: & huic coniuncta beneficentia, quam eandem vel benignitatem, vel liberalitatem appellare licet. Sed iustitiæ primum munus est, vt ne cui quis noceat, nisi laceffit iniuria, deinde vt communibus pro communibus vtatur, priuatis autem vt suis. Sunt autem priuata nulla natura, sed aut veteri occupatione, vt qui quondam in vacua venerunt: aut victoria, vt qui bello potiti sunt: aut lege, pactione, conditione, sorte.

Ex quo fit, vt ager Arpinas, Arpinatium dicatur: Tusculanus, Tusculanorum. Similisque est priuatarum

extendeth farthest, wherein is contained the fellowshippe of men among themselues, and (as it were) the interpartning of mans life.

Whereof there be two parts: Justice is one, in the which is the greatest brightnesse of vertue, whereof good men beare theyr name, and to this is toynded bountifulnesse, which same wee may tearme eyther gentlenesse, or liberalitye. But the principall dutye of iustice is, that no man hurt another, vlesse hee bee prouoked by wronge: the next, that hee vse things common, as common, and things priuate, as his owne. Howbeit, by nature things priuate bee none, but either by auncient possession, as of theyrs who in olde time came into wast grounds, or by victorie, as of theirs who got things in warre, or by law, couenaunt, condition, or lot.

Whereof it comes to passe, that the ground Arpinas is counted the Arpinatians: the ground

ground Tusculan the Tusculanians. And after this sort is the pointing out of private possessions. Whereupon seeing there is made a mannes owne of euery one of those things which by nature were common, let euery one inioy that to euery one is befallen. More then that, if anye man will conuet to himselfe, hee shal breake the law of mans fellowship. But because (as it is notably written of Plato) wee be bozne not for our selues alone, but some deale of our birth our countrey, some deale our parents, some deale our friēds do claime, & (as liketh the Stoikes) whatsoeuer is bred bypon earth, all to the vse of man is created, but man for mannes owne cause is beegotten, that they among themselves one maye help another: heerein wee be bound to follow nature our leader: and to sette abroad that maye serue for common commodities, by enter-change of duties, in giueing and taking, and also by artes, by tra-

passessionum descriptio.

Ex quo, quia suum cuiusque fit eorum, quæ natura fuerant communia, quod cuique obtingit, id quisque teneat. Eo si quis sibi plus appetet, violabit ius humanæ societatis. Sed quoniam ( vt præclare scriptum est a Platone ) non nobis solum nati sumus : ortusque nostri partem patria vendicat, partem parentes, partem amici, atque ( vt placet Stoicis ) quæ in terris gignuntur, ad vsum hominum omnia creari, homines autem hominum causa esse generatos, vt ipsi inter se alij alijs prodesse possint : in hoc naturam ducem debemus sequi, & communes utilitates in medium afferre mutatione officiorum, dando, accipiendoque, tum artibus,

## de officijs.

rum opera,rum facultatibus deuincire hominum inter homines societatem. Fundamentum autem iusticię est fides, id est dictorum, conuentorumque constantia et veritas, ex quo, quanquā hoc videbitur fortasse cuipiam durius, tamen audeamus imitari Stoicos, qui studiosē exquirunt vnde verba sint dicta, credamusque quia fiat quod dictum est, appellatam Fidem. Sed iniusticię duo genera sunt: vnum, eorum qui inferunt: alterum eorum qui ab ijs, quibus infertur, si possint, non propulsant iniuriam. Nam qui iniustē impetum in quēpiam facit, aut ira, aut aliqua perturbatione incitatus, is quasi manus violenter videtur afferre socio: qui autem non defendit, nec obstitit, si potest, iniurię, tam est in vitio, quam si parentes, aut amicos, aut patriam deserat.

uaile by riches, to knytte the fellowshippe of man with man.

But faithfulness is the foundation of iustice which is in worde and couenaunt, a truth & stedfastnesse, wheres by on though this shall seeme to some perchance ouerheard: yet let vs bee bolde to follow the **Stoikes**, which heede-fully search out from whence woordes bee fetched, and let vs thincke, that it is cal- led faythfulness, beecause it is fulfilled, which was spoken.

Contrariwise, there bee two kindes of iniustice. One, of such as offer it: another, of those who though they bee able, do not defend wrong frō them to whome it is offered. For who so vniustly doth make assault vpon any man, either stirred by cholar, or any passion, he seemeth as with violence, to kill his fellow, & who so defendeth not, not withstandeth iniurie if hee bee able, is as farre in fault, as if he should forsake his parents, his friends, or his Countrie.

And



And in deepe those iniuries that are doone of purpose to hurt, doe oftentimes arise of feare, when hee who intendeth to hurt another, is afraid that vnlesse hee doe it to the other, hee may himselfe bee touched with some discomfortie. And for the most part many men take occasion to doe wrong, of intent to compasse those things that they haue coueted: in which kinde of vice, couetousnesse most largely sheweth himselfe. Notwithstanding riches be coueted both for necessarie vses of the lyfe, and also to inioy pleasure.

But in those in whome there is a greater courage, coueting of moneye hath an eye to power, and ablenesse of pleasuring, as of late Marcus Crassus denied any substance to be great inough for him, that in a common weale woulde bee a Prince: while he were not able with his reuenue to maintaine an armie. Sumptuous furnitures doe also delight, and countenance of life, with

Atque illæ quidem iniuriæ, quæ nocendi causa de industria inferuntur, sæpe a metu proficiuntur: cum is, qui alteri nocere cogitat, timet, ne nisi id alteri fecerit, ipse aliquo afficiatur incommodo. Maximam autem partem ad iniuriam faciendam aggreduuntur nonnulli, ut adipiscantur ea, quæ concupierunt: in quo vitio latissimè patet auaritia. Expetuntur autem diuitiæ, tum ad vsus vitæ necessarios, tum ad perfruendas voluptates. In quibus autem maior est animus, in his pecuniæ cupiditas spectat ad opes, et ad gratificandi facultatem, ut nuper M. Crassus negabat ullam satis magnam pecuniam esse ei, qui in reipub. princeps vellet esse, cuius fructibus exercitum alere non posset. Delectant etiam magnifici apparatus, vitæque cultus, cum

## de Officijs.

elegantia & copia. Quibus rebus affectum est, vt infinita pecuniæ cupiditas esset. Nec verò rei familiaris amplificatio nemini nocens vituperanda est, sed fugienda semper iniuria. Maximè autem adducuntur pleriq; vt eos iustitiæ capiat obliuio, cum in imperiorum, honorum, gloriæ cupiditatem inciderint. Quod enim apud Ennium. Nulla sancta societas, nec Fides Regni est, id latius patet. Nam quicquid eiusmodi est in quo non possint plures excellere, in eo plerumq; fit tanta contentio, vt difficilimum sit sanctam seruare societatem. Declarauit id modò temeritas C. Cæsaris, qui omnia iura diuina & humana peruertit, ppter eum, quem sibi ipse opinionis errore finxerat, principatum. Est autem in hoc genere molestum, qd' in maximis animis, splendidissi-

finenelle & plentie. By which meanes it is come to passe, that endlesse is the desire of riches.

And truelye, the enlargement of a mans priuate goods hurtfull to no body, is not to be dispraised, but euermore iniurie is to bee shunned. Wnt the most part of men chieflýe bee brought to forget iustice, when they fall into the desier of rule, honour, or glorie. For that which is in Ennius. (In Emprye is no Godly fellowship nor fayth: ) reacheth farther, For whatsoeuer is of such sort, wherein manye cannot bee chiefe, therein commonly happeneth so great contention, that very hard it is to keepe a godly societie. The storie of Caius Cesar declared that of late who tourned topsetturuis all the laws of G D D and man, for that soueraigntyes sake, which hee to himselfe, by the erroz of his owne conceit had imagined. And in this kind it is a griefeful case that desires of honour, rule, power, and glorie, bee commonly

monlye in the greatest courages, & goodliest wits. Wherefore the more heede must be taken, that we offend nothing in that beehalfe.

But there is a great diuersitie in all iniustice, whether the wrong bee done of any stur of the minde, which commonly is but short, and for a season, or else of purpose & aduisedly. For the harmes bee easier, that befall of some sodaine moode, then such as bee done beeing deuised & prepared for. And thus we haue sayd inough of dooing iniurie. But there are wont to bee many causes why wee refuse to defend another, and dooe leaue our duetie. For men be vnwilling to take vpon them eyther displeasure, or trauaile, or charges, or else they bee so giuen to negligence, slouthfulnesse, idlenesse, priuate studies, or certaine businesse, that they suffer them to bee helpelesse, whome they ought to saue harmelesse. Wherefore wee must looke least it bee not sufficient that is spoken of

inistq; ingenijs, plerumq; existunt honoris, imperij, potentie, glorie cupiditates. Quo magis cauendum est, ne quid in eo genere peccetur. Sed in omni iniustitia p multum interest vtrum perturbatione aliqua animi, quæ plerumq; brevis est, & ad tempus, an consulto & cogitatio fiat iniuria. Leuiora enim sunt ea, quæ repentino aliquo motu accidunt, quæ ea, quæ meditata & præparata inferuntur. Ac de inferenda quidem iniuria satis est dictum. Pretermittendæ autem defensionis, deserendiq; officij plures solent esse causæ. Nam aut inimicitias aut laborem, aut sumptus suscipere nolunt, aut etiam negligetia, pigritia, inertia, aut suis studiis, quibusdamuè occupationibus sic impediuntur, ut eos, quos tutari debeant, desertos esse patiantur. Itaq; videndum est, ne non satis sit id, quod apud



## de Officijs.

Platonem est in philosophis dictum : quod in veri inuestigatione versentur, quodque ea, quæ plerique vehementer expetunt, de quibus inter se digladiari solent, contemnant, & pro nihilo ducant, propterea iustos esse. Nam dum alterum iustitiæ genus assequuntur, in inferenda, ne cui noceant, iniuria, in alterum incidunt. Discendi enim studio impediti, quos tueri debent deserunt. Itaque eos ad Rempublicam accessuros quidem purat, nisi coactos. Acquiuis autem erat id voluntate fieri, nam hoc ipsum ita iustum est, quod rectè sit, si est voluntarium. Sunt etiam qui aut studio rei familiaris tuendæ, aut odio quodam hominum suum se negotium agere dicant, ne facere cuiquam videantur iniuriam, qui dum altero iniustitiæ genere vacant,

Plato touching the Philosophers, that therefore they bee iust, beecause they bee occupied in tracing out trouth : and beecause they despise and set at naught such things as the most parte of men greedely desire, and among themselves are wont to bee at daggers drawing for the same, For while they attayne one kinde of iustice, that they hurt no man with dooing of iniurie, they fall into the other. For beeing letted with the studie of learning, they forsake them, whome they ought to defend. And therefore hee thinckes they would not enter into the common weale, were they not compelled.

But it were more reason, that voluntarielye it shoulde bee doone. For what so is ryghtlye doone, the same thereby is iust, if it bee voluntarie. There bee also who eyther for loue of sauing theyr substaunce, or a certayne hatred to men dooe say, that they meddle onely with theyr owne matters, least they may seeme to dooe

any

any body wrong, who while they bee boyde of one kinde of iniustice, doe runne into the other. For they forsake the fellowshippe of lyfe, because they beestow noe studie, no labour, nor substance vpon it. Seeing then after the declaring of the two kindes of iniustice, wee haue there to ioynded the causes of eyther kinde, and haue set out those thinges afore wherein iustice is contained, wee may easily iudge what is the dutie of euery season, except wee fauour our selues too farre. For it is hard to haue a carefulnesse ouer other mens matters, although y<sup>e</sup> same Chremes in Terence counteth nothing straunge to him of ought that pertaynes to man.

Neuerthelesse, because wee perceiue and feelee those things moze, that doo happen to our selues, eyther luckelye or vnfortunatelye, than such as befall to other, which (as yee would saye) wee beeholde a great way off, wee iudge otherwise of them,

in alterum incurrunt. Deferunt enim vitæ societatem : quia nihil conferunt in eam studij, nihil operæ, nihil facultatum.

Quoniam igitur duobus generibus iniustitiæ propositis adiunximus causas vtriusque generis, easque res antè constituimus, quibus iustitia continetur : facile quod cuiusque temporis officium sit, poterimus (nisi nosmet ipsos valde amabimus) iudicare. Est enim difficilis cura rerum alienarum, quanquam Terentianus ille Chremes, humani nihil a se alienum putat.

Sed tamen quia magis ea percipimus atque sentimus, quæ nobis ipsis aut prospera, aut aduersa eueniunt, quàm illa, quæ cæteris, quæ quasi longo intervallo interiecto videmus, aliter de illis, ac de nobis iudicamus.

B.v.

Quo

## de Officijs.

Quo circa bene præci-  
piunt, qui vetant quic-  
quam agere, q̄ dubites  
æquum sit an iniquum.  
Aequitas enim lucet ip-  
sa per se, dubitatio au-  
tem cogitationem signi-  
ficat iniurię. Sed incidūt  
sepe tēpora, cū ea, quę  
maximē videntur digna  
esse iusto homine, eoq;  
quem virum bonum di-  
cim⁹, cōmutantur, fiunt  
q; cōtraria, vt nō redde-  
re depositum, etiam ne  
furioso promissum face-  
re, quęq; pertinent ad  
veritatem, & ad fidem  
ea negare interdum, &  
non seruare sit iustum.  
Referri enim decet ad  
ea, quę posui in principio  
fundamenta iustitię: pri-  
mum, vt ne cui nocea-  
tur: deinde, vt communi  
vtilitati seruiatur. Ea  
cū tempore commu-  
tantur, commutatur of-  
ficium: vt non semper  
sit idem. Pōtest enim  
accidere promissum ali-  
quod, & conuentum,  
vt id effici sit inutile,

then of our selues. Therefore  
they teach well, that forbiddē  
to dooe anye thing which pee  
doubt, whether it bee ryght  
or wrong. For the very right  
shineth of it selfe, but doubting  
declares an imagination  
of wronge. But often  
there befall seasons, that those  
dueties which seeme to bee  
most meete for a iust man, and  
him whome wee call a good  
man, bee changed and become  
contrarypous, so that some  
time it is iust not to restore  
that is layde to keepe, also not  
to performe promise with a  
madde man, and to denye  
those things which concerne  
ones trouthe and honestye.

For it is meete they bee re-  
ferred to those foundations  
of iustice which I layde in  
the beeginning: First, that no  
manne bee hurt, next, that  
common profit bee serued,  
when these bee chaunged  
by time, chaunged is due-  
tie, that it remaynes not al-  
wayes a lyke. For there  
may chaunce some promise  
and conuenaunt, that may bee  
vnprofitable to bee perfor-  
med



med eyther to him, to whom  
it is promised : or else to him  
that promised it. For (as it is  
in the fables) if Neptuneus  
had not done that to These-  
us he promised, Theseus had  
not bene bereft of his sonne  
Hippolitus. For of the three  
boones (as is written) that  
was the third, which in his  
furie he asked for the death  
of Hippolitus : and when hee  
had obtayned it, hee fell into  
heauie wailinges. Therefore  
neither those promises are to  
be fulfilled, which are vnpro-  
fitable to them, to whome you  
made them : nor if they hurt  
you more then they profit  
him, whom you promised.

It is against duetie, the  
greater harme to bee rather  
admitted then the lesse: as  
if you haue appoynted your  
selfe, with any man to come  
as his counsellor in his mat-  
ter that is in hand : and in the  
meane season your sonne be-  
gins to fall soze sick, let it not  
bee reckoned against duetie,  
not to performe that yee pro-  
mised : yea, & hee more should  
swaue frō duty, to whom the

vel ei, cui promissum sit,  
vel ei, qui promissit.  
Nam si ( vt in Fabulis  
est, ) Neptunus, quod  
Theseo promiserat, non  
fecisset, Theseus filio  
Hippolito non esset or-  
batus. Ex tribus enim  
optatis, ( vti scribitur, )  
hoc erat tertium, qd' de  
Hippoliti interitu ira-  
tus optauit, quo impe-  
trato, in maximos luct-  
us incidit. Nec promif-  
sa igitur seruanda sunt  
ea, quæ sint ijs qui-  
bus promiseris inutua-  
lia ; nec si plus tibi  
noceant, quàm illi  
pro sint, cui promise-  
ris.

Contra officium est,  
maius damnum antepo-  
ni minori : vt, si consti-  
tueris te cuiquam ad-  
uocatum in rem præ-  
sentem esse ventu-  
rum : atque interim,  
grauiter ægrotare fili-  
us coeperit, non sit  
contra Officium, non  
facere quod dixeris.

Magisque ille, cui  
pro-

## de Officijs.

promissum sit, ab officio discedat, si se destitutum queratur. Iam illis promissis non standum esse quis non videt, quæ coactus quis metu, aut deceptus dolo promiserit? Quæ quidem pleraque iure Prætorio liberantur, nonnulla legibus.

Existunt etiam sæpe iniuriæ calumnia quadam, & nimis calida, et malitiosa iuris interpretatione. Ex quo illud, Summum ius, summa iniuria, factum est iam eritum sermone proverbum. Quo in genere, etiam in Repub. multa peccantur: vt ille, qui cum centum triginta dierum essent cum hoste pactæ induciæ, noctu populabatur agros, quod dierum essent pactæ non noctium induciæ. Nec noster quidem probandus est, si verum est Quintum Fabium Labeonem, seu quem alium (nihil enim præter

promise was made, if he would complaine himselfe to be disappointed. Now who seeth not that it is not meete to stande to those promises which a man hath promised being constrained with feare, or deluded with guile, which things for the most parte be discharged by the Pretors court, and manye of them by statute.

Wrongs also often times doe rise vppon a certaine euillation, and ouer crafty and subtile misconstruing of the law, wherebpon that saying, Extreame la'we, extreame wrong, is now made a well worne Prouerbe in common nication. In which kinde manye thinges bee doone amiss euen in y<sup>e</sup> cōmon weals matters, as hee, who when the truce was taken with the enimie for 130. daies, ouerranne his lande in the night, because the truce was taken for daies, and not for nights. No nor yet our Countreyman is to be allowed (if it be true) that Quintus Fabius Labeo, or anye other man

(for

(for I haue nothing but by  
heare saye) beeing by the Se-  
nate appointed daisman to the  
Polones and Neopolitanes,  
aboute the boundes of theyr  
lands, dyd commune with ey-  
ther of them a parte, when he  
came to the place that they  
should not doe, nor couet a-  
ny thing greedely, and that  
rather they would set backe,  
then incroch vppon each o-  
ther, which when eyther of  
them had so done, there was  
a parcell of ground left in the  
midst. And so hee caused theyr  
bounds to bee staked out, euen  
as they had tolde him, the re-  
sidue that was in the middest  
hee adiudged to the people  
of Rome. This plainely is  
to deceiue, and not to iudge:  
Wherefore such wplynesse in  
euery case is to bee auoy-  
ded.

There bee certaine dueties  
also to bee obserued: euen to-  
warde them of whome you  
haue receiued wrong. For  
in reuenge and chastisement,  
there is a measure to bee v-  
sed. And I wote not whe-  
ther it bee sufficient for him

auditum habeo) iudi-  
cium Nolanis & Neapo-  
litanis de finibus agri a  
Senatu datum: cum ad  
locum venisset, cum v-  
trisque sepratim lo-  
quutum, ne cupidō  
quid agerent, nec appe-  
terent, atque vt regre-  
di quā progredi mal-  
lent. Id cū vtrique fe-  
cissent, aliquantum a-  
gri in medio relictum  
est. Itaque illorum fi-  
nes, sicut ipsi dixerant,  
terminauit, in medio  
relictum quod erat po-  
pulo Romano adiudi-  
cauit. Decipere hoc qui-  
dem, non iudicare est.

Quo circa in omni re-  
fugienda est talis soler-  
tia.

Sunt autem quædam  
officia etiam aduersus  
eos seruanda, a quibus  
iniuriam acceperis.

Est enim vlciscendi &  
puniendi mobus. At-  
que haud scio, an satis  
sit eum, qui lacefferit,  
iniuriæ suæ pænitere,  
vt & ipse ne quid tale  
post-



## de Officijs.

posthac committat, & ceteri sint ad iniuriam tardiores. Atq; in Repub. maximè conseruanda sunt iura belli. Nam cum sint duo genera decertandi: vnum per disceptationem, alterum per vim, cumque illud proprium sit hominis, hoc beluarum, confugiendum est ad posterius, si uti non licet superiore. Quare suscipienda quidem bella sunt ob eam causam, vt sine iniuria in pace viuatur, parta autem victoria, conseruandi sunt ij, qui non crudeles in bello, nec immanes fuerunt: vt maiores nostri Tusculanos, Equos, Volcos, Sabinos, Hernicos, in ciuitatem etiam acceperunt: at Carthaginem & Numantiam funditus sustulerunt. Nollem illos secutos opportunitatem loci, maxime ne posset aliquando ad bellum faciendum locus

that beegan to repent him of the wrong: but that hee bee punished, that hee commit not the lyke offence againe: and that other also may bee the slower to dooe wrong.

And the law of armes must in any wise bee kept, in y<sup>e</sup> common weale. For where as there bee two kindes of contention, one by reasoning, another by violence: and the first is the proprietie of man, the second of beast: wee must flye to the latter, if wee may not vse the former.

Wherefore to this end and purpose wee must enter in war: that without iniury wee may liue in peace: and when y<sup>e</sup> victo<sup>ry</sup> is gotten, they must bee saued, who haue not bene cruel, nor vnnmercifull in fight as our auncesters euen into the citie receiued the Tusculanes, the Equianes, the Volcians, the Sabines, & the Hernikes: but they vtterly razed Carthage and Numance, Corinth, I would they had not, but I beleeue, they chiefly respected y<sup>e</sup> situation: least y<sup>e</sup> very place might encourage them,

at

at any tyme to moue warre.

After my minde certesse, it is meete alwayes to giue counsell to peace, that shall haue in it no fraud, nor guile.

Wherein if men had agreed to mee, wee should haue had, although not y best, yet some common weale, which now is none. And not onely for them yee must prouide, whom by force you haue subdued, but they also, who come in with yeelded weapon, vpon assurance in the Captayne (although the Ranne hath battered the wall) are to bee receiued.

In which point, Iustice hath beene so greatly regarded with our men, that they who had taken Cityes to mercie, or Nations conquered in warre, should bee their patrones, by the custome of our auncesters.

And the Iustice of the war is most sincerelye descryued, in the feciall law of the people of Rome.

Whereby it may bee perceyued, that no warre is iust, but which eyther for

ipse adhortari. Mea quidem sententia, paci, quæ nihil habitura sit insidiarum, semper est consulendum.

In quo si mihi obtemperatum esset: etsi non optimam, at aliquam Remp. (quæ nunc nulla est) haberemus. At cum ijs, quos vi deuiceris, consulendum est: tum ij, qui armis positis ad imperatorum fidem confugiunt (quamuis murum Arces percusserit) recipiendi sunt.

In quo tanto-pere apud nostros iustitia cuius est, vt ij, qui Ciuitates aut nationes deuictas bello in fidem recepissent, earum patroni essent more maiorum.

Ac belli quidem æquitas sanctissimè feciali Populi Romani iure perscripta est.

Ex quo intelligi potest, nullum bellum esse iustum, nisi quod aut rebus

## de Officijs.

rebus repetitis geratur, aut denunciatum ante sit, & indictum. Pompilius imperator tenebat pronunciam, in cuius exercitu Catonis filius Tiro militabat. Cum autem pompilio videretur vnā dimittere legionem: Catonis quoque filium, qui in eadem legione militabat, dimisit. Sed cum amore pugnandi in exercitu remansisset, Cato ad Pompiliū scripsit, vt si cum pateretur in exercitu remanere, secundo eum obligaret militiae sacramento: quia priore amisso, iure pugnare cum hostibus non poterat. Adeo summa erat obseruatio in bello mouendo. Marci quidem Catonis senis est epistola ad Marcum filium: in qua scripsit se audisse cum dimissum factum esse a Consule, cum in Macedonia bello Persico miles esset. Monet igitur, vt caueat ne

things in claime is moued, or is proclaimed before, and bidden by defiaunce. Pompilius the Romanes generall kept a prouince, in whose armie Catoes son went for a young souldier a warfare. And when it lyked Pompilius to discharge one legion, he discharged Catoes sonne also, who serued in that legion as a souldier. But when hee for loue of the warres, remained in the camp still, Cato did write to Pompilius, that if he wold suffer him to remaine in the armie, hee should sweare him souldier againe, beecause hee might not lawfully fight with the enimie, the former oath beeing discharged. So passing greate regarde they had in making their warres. There is a Letter abroad of Marcus Cato the olde man, to Marcus his sonne, wherein hee wrote that hee hearde hee was discharged by the Consul, beeing a souldier in Macidonie, at the Persian warres. He warnes him therefore to beware, that hee enter not the battayle:

for



for hee denieth that it is lawfull for him, that is no souldier, to fight with the enimie.

And this also I note, that hee which by his proper name was Perduellis, is to meane an open enimie, was called Hostis, the mildenesse of the word assuaging the haynousnesse of the thing. For hee was called Hostis, with our auncesters, whome now wee name Peregrinus, A straunger.

That the twelue Tables declare, Aut status dies cum hoste: and againe, Aduersus hostem æterna auctoritas.

What may there bee added to this kinde of gentlenesse? to call him by so faire a name, with whome you make war. Notwithstanding procelle of tyme maketh the name now more odious: for it is gone frõ the signification of Peregrinus, that is to say, a straunger, and properly it stands for him that beareth armour against one, but when there is fighting for Empire, and glorie is sought by warre: yet it beehoueth alwayes, that

prelium ineat. Negat enim ius esse, qui miles non sit, pugnare cum hoste.

Equidem illud etiam animaduerto; quod qui proprio nomine perduellis esset, is hostis vocaretur, lenitate verbi tristitiam rei mitigante. Hostis enim apud maiores nostros is dicebatur, quem nunc peregrinum dicimus. Indicat. xij. tabulæ.

Aut status dies cum Hoste. Itemque Aduersus hostem Aeterna auctoritas.

Quid ad hanc mansuetudinem addi potest? cum qui cum bellum geras, tam molli nomine appellari? quanquam id nomen durius iam effecit vetustas: a peregrino enim recessit, & proprie in eo, qui contra ferret arma, remansit.

Cum vero de imperio decertatur, bello que

C.

que

## de Officijs.

quæritur gloria, causas omnino subesse tamen oportet easdem, quas dixi paulò antè iustas causas esse bel-  
lorum.

Sed ea bella, quibus imperij gloria propo-  
sita est, minus acerbè ge-  
renda sunt. Vt enim cū  
ciuilitè contendimus,  
aliter, si est inimicus, ali-  
ter si competitor, cum  
altero certamen hono-  
ris, & dignitatis est:  
cum altero capitis, &  
famæ:

Sic cum celtiberis, cum  
Cimbris bellum, vt cum  
inimicis gerebatur, vter  
esset, non vter impe-  
raret. Cum Latinis,  
Sabinis, Samnitibus,  
Pœnis, Pyrrho, de  
imperio dimicabatur.  
Pœni fœdifragi, cru-  
delis Annibal, reliqui  
iustiores. Pyrrhi qui-  
dem de captiuis red-  
dendis illa præclara,  
sententia est.

the verre same causes bee  
therein, which I declared  
a litle beefore, to bee the iust  
causes of warre.

But these warres are not  
so cruelly to bee made, which  
bee purposed for the glørye  
of Empire.

For as, when wee strue  
in the Citie, wee dooe other-  
wise, if one bee our enimie,  
otherwys, if hee bee but fur-  
ter agaynst vs: for with the  
one the stryfe is for honour  
and dignitie, with the other  
for lyfe and honestye: euen  
so warre was holden with  
the Celtibers, and with the  
Cimbers, as with our ene-  
mies, whether should liue,  
and not whether should rule,  
but with the Latines, the  
Sabines, the Samnites, the  
Pœnes, and with Pyrrhus,  
the fight was about Em-  
pire and dominion. The Pœ-  
nes were leage breakers.

Anniball was cruell, the  
rest were iuster men.

That is a noble saying  
doubtlesse of Pirrhys, a-  
bout the restorng of Pry-  
soners.

No gold dooe I craue,  
 No price offer mee :  
 No husters of warre,  
 Warre men as wee bee :  
 With dint for our lyfe,  
 fight wee not with gold :  
 Whether you to raigne,  
 or mee the Lady would.  
 Chaunce trie wee by force,  
 this answere eke bare :  
 Whose manhood the hay,  
 of battell will spare.  
 Their freedome I purpose,  
 to fauour also :  
 Them giue I, them take,  
 the Gods will it so.

Nec mi aurum posco :  
 nec mi pretium dederitis,  
 Nec cauponantes bellum  
 sed belligerantes.  
 Ferro, non auro vitam  
 cernamus vtriq; (re heræ  
 Vos ne velit, an me regna  
 quidue ferat fors.,  
 Virtute experiamur,  
 & hoc simul accipe dictū  
 Quorum virtuti belli  
 fortuna pepercit,  
 Eorundem me libertati  
 parcere certum est.  
 Dono ducite, doq; volē-  
 cum magnis dijs. (tibus)

A princelye saying for  
 sooth, and well beeseeming  
 the bygnage of the Aeaci-  
 dens.

Lyke wise of priuate men  
 driuen by occasions, shall  
 promise ought to the eny-  
 mie, they must keepe theyr  
 promise therein. As Regu-  
 lus dyd, that was taken of  
 the Carthageniens in the  
 first Punike warres: who

Regalis sanē & dig-  
 na Aeacidarum genere  
 sententia.

Atque etiam si quid  
 singuli temporibus ad-  
 ducti hosti promise-  
 rint, est in eo ipso fi-  
 des conseruanda, vt  
 primo punico bello Re-  
 gulus captus à Pœnis :  
 C.ij. cum



## de officijs.

cum de captiuis commutandis Romam missus esset, iurassetque se rediturum : primum ut venit, captiuos reddendos in Senatu non censuit. Deinde cum retineretur a propinquis & ab amicis : ad sulphicium redire maluit, quàm suam fidem hosti datam fallere. Secundo autem Punico bello, post Cannensem pugnam, quos decem Annibal Roman adstrictos misit iureiurando se redituros esse, nisi de redimendis ijs, qui capti erant, impetrassent : eos omnes, Censores ( quoad quisque eorum vixit ) qui perierassent, in ætarijs reliquerunt nec minus illum, qui iurisiuradi fraudi culpam inuenerat.

Cùm enim Annibalis permissu exisset castris, redijt paulò post, quod se oblitum nescio quid diceret. Deinde, egressus è Castris, iure-

when hee was sent to Rome, about the enterchaunging of prisoners, and hadde s'wozne that hee would returne : first as soone as hee came, his aduice was in the Senate house, that the Prisoners should not bee restozed, afterward when hee should haue bene stopped of his kins folk and friendes : hee was more willing to returne to punishment, then to bzeake his promise giuen to the enimie.

And in the second Punic warres, after Cannas fiede, the Censours ceased at a pearelye fine all those tenns (as long as any of them liued, that tarried still, and were for s'wozne) which Annibal sent to Rome, vppon theyr oath, that they should returne except they obtayned the ransomning of those that were prisoners there, and no lesse they ceased him, which for the deceiuing of his oath had deuised an excuse.

For when by Annibals sentence, vppon his oath to returne, hee was gone with

out

out the campe, hee returned within a little while after making his excuse, that hee had forgotten, I wot not what. Afterward beeing gone out of the camp, hee thought himselfe discharged of his oath, and in words hee was, but not in deede. For alwaies in promise must be considered what yee meane, not what yee saye. But the greatest example of iustice toward the enimie, was shewed by our ancestors, when a runneaway traitour from Pirrhus, had promised the Senate that he wold giue the king poison, and kill him, the Senate, and Caius Fabricius dyd deliuer þe runaway traitor to Pirrhus. In such sort, with trecherie they allowed not the death of their enimie, and such a one as was both mightie, and mooued war vnprouoked. Thus of warfaring dueties there is inough spoken.

Let vs remember also, that euen toward the basest sort there is a iustice to be kept. The basest degree

iurando se solutum putabat : & erat verbi, re non erat. Semper autem in fide quid senseris, non quid dixeris, cogitandum.

Maximum autem exemplum est iustitiæ in hostem, à maiorebus nostris constitutum. Cum à Pyrrho perfuga Senatui est pollicitus, se venenum Regi daturum, & eum necaturum : Senatus & Caius Fabricius perfugam Pyrrho dedit.

Ita, ne hostis quidem, & potentis, & bellum vltro inferentis, cum scelere interitum approbavit.

Ac de, bellicis quidem Officijs, satis dictum est.

Meminerimus autem etiam aduersus infimos iustitiam esse seruandam. Est autem infima conditio & fortuna seruorum : quibus non malè præcipiunt,

C.iiij.

qui

## de Officijs.

qui ita iubent vti, vt mercenarijs, ad operam exigendam, & iusta præbenda. Cùm autem duobus modis, id est aut vi, aut fraude fiat iniuria: fraus quasi vulpeculæ, vis leonis videtur: vtrumque ab homine alienissimum: sed fraus odio digna maiore. Totius autem iniustitiæ, nulla capitalior est, quam eorū, qui tum cū maximè fallunt, id tamen agunt, vt viri boni esse videantur. De iustitia satis dictum est. Deinceps vt erat propositum, de beneficentia ac liberalitate dicatur: qua quidem, nihil est naturæ Hominis accommodatius.

Sed habet multas cautionis. Videndum est enim primum, ne obsit benignitas, & his ipsis, quibus benignè videbitur fieri & ceteris: deinde ne maior benignitas sit, quàm fa-

and state is of slaues: whom they that will see so to vse, as hyred men, in requyring theyr woork, and giuyng them theyr due, dooe teach you not amisse. But where as iniuries may bee doone two wayes, that is to say, either by force or by guile, guile seemes as of the Foxe, force, as of the Lyon: both in trouth are verre unfitte for man, yet guile deserueth the greater hatred. But of all iniustice, none is moze pestilent then theyrs: which when they beegule a man most, yet so handle the matter, that they will seeme to bee well meaning men. Of iustice heere is sayde inough. Let vs now speake as wee purposed, of bountyfulnesse and liberalitie: for nothing without doubt is to the nature of man moze agreeable.

Notwithstanding it hath diuers exceptions. For first wee must see that our bountyfulnesse hurt not both those to whome bountifully it shall seeme to bee doone, and  
also



also other moe, next, that our  
lyberalitie bee not more than  
our abilitie: thirdly, that to  
euery man bee giuen accor-  
ding to his worthynesse. For  
that is the foundation of iu-  
stice whereto all these must be  
applyed. For both they that  
pleasure any body with that  
which may hurt him, whome  
they would seeme willing to  
profit, ought to bee deemed  
not bounteous, nor lyberall,  
but pestilent flatterers, and  
they likewise who dooe hurt  
some, that they may bee libe-  
rall to other, doe fall into the  
same iniustice, as if they shuld  
tourne other mens goods in-  
to theyr owne. But there bee  
many, and namely the desir-  
ours of honour and glory,  
who doo catch from some, that  
they may lauish to another,  
and these suppose that they  
shall seeme bountifull to their  
friendes, if they may in-  
rich them any manner way.  
But that is so farre off from  
duetie, that nothing may bee  
more contraryous to duetie.  
Wee must see therefore that

cultates, tum vt pro dig-  
nitate cuique tribua-  
tur.

Id enim est iustitiæ  
fundamentum, ad quam  
hæc omnia sunt releren-  
da. Nam & qui gratifi-  
cantur cuiuspiam quod ob-  
sit illi, cui prodesse velle  
videantur, non benefici  
neque liberales, sed per-  
niciosi assentatores iu-  
dicandi sunt. Et qui a-  
lijs nocent, vt in alios li-  
berales sint, in eadem  
sunt iniustitia, vt si in  
suam rem alienam con-  
uertant.

Sunt autem multi equi-  
dem cupidi splendo-  
ris & gloriæ, qui eripi-  
unt alijs, quod alijs lar-  
giantur. Hi que arbitran-  
tur se beneficos in suos  
amicos visum iri, si lo-  
cupletent eos, quacun-  
que ratione.

Id autem tantum ab-  
est ab officio, vt nihil  
magis Officio possit es-  
se contrarium. Vi-  
dendum est igitur, vt

## de Officijs.

ea liberalitate utamur, quæ profit amicis, noceat nemini. Quare L. Sylla & C. Cæsaris pecuniarum translatio à iustis dominis ad alienos, non debet liberalis videri. Nihil est enim liberale, quod non idem sit iustum. Alter locus erat cautionis, ne benignitas maior esset, quam facultates: quod qui benigniores esse volunt quæ res patitur, primum in eo peccant, quod iniuriosi sunt in proximos. Quas enim copias his & suppeditari æquius est, & relinquere, eas transferunt ad alienos. Inest autem in tali liberalitate cupiditas rapiendi plerumque, & auferendi per iniuriam, ut ad largiendum suppetant copiarum. Videre etiam licet plerisque non tam natura liberales, quam quadam gloria inductos, ut benefici videantur, facere multa: quæ proficisci ab ostentatio-

wee vse such lyberalite, as may profit our friendes, and hinder no bodie. Wherefore Lucius Syllaes, and Caius Cæsars conueying of goods from þe iust owners to strangers, must not bee thought lyberalitie. For nothing is lyberall, which same is not iust.

The second poynt of exception was, that our liberalitie should not bee more then our abilitie, because who so will bee lauisher then their goods wyll beare, they chieflie offend in this, that they bee iniurpous vnto theyr next kinne. For they conueye the same riches to friend folke, which it were more reason both to bee dealt and left to theyr kinsfolke. And there is in such lyberalitie a greedinesse oftentimes of catching, and pulling away with iniurie, that there may be store to lash out.

A man may see also some dooe much, not by nature so lyberall, as ledde wyth a certayne gloze, that they may seeme bountyfull, which things

things may bee thought to come rather of a brag, then of a free heart. Such a false flattery is a neerer neyghbour to vanity, then either to liberality, or to honestie.

The third restraynt, wee spoke of, is, that in lyberality there bee a choyce of worthinesse, wherein are to bee considered both his manners, vpon whome the benefitte shall bee bestowed, and also his good will towarde vs, and the interpartening and fellowship of life, and friendly turnes done beefore to our commodities, all which bee wishfull to meete together, if not, the more causes and the greatest, shall haue in them the more weight.

Howbeit, because wee leade not our lyfe with perfect men, and thoroughly wise, but with such as in whome it is a goodly matter, if there bee resemblaunces of vertue, I reckon this also meete to bee considered, that wee despise no manner man, in whome any signe

ne magis, quàm a voluntate videntur. Talis autem simulatio vanitati est coniunctior quam aut liberalitati, aut honestati. Tertium est propositum, vt in beneficentia delectus esset dignitatis: in quo & mores eius erunt spectandi in quem beneficium conferetur: & animus erga nos & communitas, & societas vitæ, & ad nostras vtilitates officia antè collata. Quæ vt concurrant omnia optabile est: sin minus, plures causæ, maioresque, ponderis plus habebunt.

Quoniam autem viuimus non cum perfectis hominibus, plenèque sapientibus, sed cum ijs, quibus cū præclarè agitur, si insint simulachra virtutis: etiam hoc intelligendum puto, neminem omnino esse negligendum, in quo aliqua significatio virtutis appareat, Colendum



## de Officijs.

dum autem esse ita vnum quemq; maximè, vt quisque maximè his virtutibus lenioribus erit ornatus, modestia, temperantia, ac ipsa de qua iam multa dicta sunt iustitia. Nam fortis animus & magnus in homine non perfecto, nec sapiente, feruentior plerumq; est: illè vero virtutes bonum virum videntur potius attingere. Atque hæc in moribus considerentur. De beneuolentia autem, quam quisque habeat erga nos, primum illud est in officio, vt ei plurimum tribuamus, a quo plurimum diligimur. Sed beneuolentiam non adolescentulorum more, ardore quodam amoris, sed stabilitate potius & constantia iudicemus.

Sin erunt merita, vt non incunda, sed referenda sit gratia: maior quædam cura adhibea-

of vertue doth appeare: and specially: that euery man so bee regarded, as each man, chiefly shall bee garnished with these gentler kindes of vertues, sober, moode, temperance, and this same iustice, whereof alreadye much hath bene spoken. For a manly courage and a great, is commonly somewhat to feruent in a man, that wants of perfection, and wisdom, but those other vertues seeme rather to pertaine to a good man: Thus much in maners may bee considered. But concerning loue that any man beareth toward vs, this is the chiefe point of duety, that we giue most to him of whom wee are most beeloued. But wee must measure good will, not after the guise of young men, by a certayne heate of loue, but rather by assurednesse and steadfastnesse.

But in case a mannes deserving bee such, that wee haue not to seeke to creepe in fauour, but to requite, his kindnesse: a certayne greater

greater care is then to bee bestowed. For there is no dutye more necessary then requiting of kindenesse: And if Hesiodus wills yee, with larger measure (if yee may) to restore such things as yee haue borrowed to occupye: what then ought wee to dooe prouoked by benefits? Must wee not dooe lyke the fruitfull fields, that yeeld much more then they receiued? For if wee sticke not to bestow pleasures vpon them, who wee hope, will profit vs heereafter: what manner men ought wee to bee towarde them, that haue doone vs good already? For whereas there bee two kindes of liberalitie: one of dooing a benefit, an other of requiting: whether wee will dooe it or no, is in our owne choyce: but to leaue ought vnrequited, is not lawfull for a good man: so hee may dooe it without iniury. But there bee respects to bee had of benefits receyued: and there is no doubt, but most is due to the greatest,

da est. Nullum enim officium referenda gratia magis necessarium est. Quod si ea, quæ acceptis vtenda, maiore mensura (si modo possis) iubet reddere; Hesiodus: quidnam beneficio prouocati facere debemus? An non imitari agros fertiles, qui multo plus afferunt, quam acceperunt? Et enim si in eos, quos speramus nobis profuturos, non dubitamus Officia conferre: quales in eos esse debemus, qui iam profuerunt? Nam cum duo genera liberalitatis sint, vnum dandi beneficij, alterum reddendi, demum necne in nostra potestate est: non reddere bono viro non licet, modò id facere possit sine iniuria. Acceptorum autem beneficiorum sunt delectus habendi. Nec dubium quin maximo cuiq; plurimum debeatur.

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In quo tamen imprimis quo quisque animo, studio, beneuolentia fecerit, ponderandum est. Multi enim multa faciunt temeritate quadam sine iudicio vel modo, in omnes: vel repentino quodam quasi vento, impetu animi incitati: quæ beneficia æquè magna non sunt habēda, atq; ea, quæ iudicio consideratè, constanterq; delata sunt. Sed in collocādo beneficio, & in referenda gratia, si cetera paria sint, hoc maximè officij est, vt quisq; maximè opis indigeat, ita ei potissimum opitulari. Quod contrā fit à plerisq;. A quo enim plurimum sperant, etiam si ille ijs non eget, tamen ei potissimum inseruiunt. Optimè autem societas hominum, coniunctioque seruabitur, si vt quisque erit coniunctissimus, ita in eum benignitatis plurimum conferetur. Sed quæ

wherein specially yet it is to bee weighed of what minde, affection, and good wil, a man hath done it. For many men dooe many things of a certayne headynesse, without discretion or measure towards every man, or else with a certayne sodaine braide of minde carryed as with the winde, which benefits are not to bee counted a like great, as those, that bee offered wyth iudgement aduisedly and constantly. But in placing of benefit, and requiting kindnesse, (if all other things bee correspondent) this is a principall point of duetie, that as euery man most needeth help, so him most of all wee aide which contrariwise is doone of a great many, for of whom they hope most, although hee hath no neede of them, yet to him they are most seruiceable.

But the fellowshippe and neighbourhood of men shall best bee maintayned, if as euery man shall bee neerest vs, so on him wee beestow most lyberalitie. But what



what bee natures principalls of neyghbourhoode, and the fellowshippe of man, I think good to fetch somewhat farther off.

For the first is that which is to see in the fellowshippe of all mankinde. The bonde whereof is reason and speech, which by teachinge, learning, conferring, reasoning, and iudgeing, winneth one man to another, and ioyneth them in a certayne naturall fellowshippe. For by anye thing farther wee differ from the nature of sauage Beastes, in whome wee saye oftentimes there is an hardynesse, as in hoxses and Lyons, but wee neuer say, they haue iustice, equitie, and goodnesse, for they bee voyde of reason, and of speech. And surely this is the fellowshippe that spreadeth most largely wyth men among themselues, and wyth all amonge all, in the which there must bee kept a commonnesse of all things, that nature hath bredde to the common vse of man, so as the thinges, which bee

naturæ principia sunt communitatis & societatis humanæ, repetendum altius videtur. Est enim primum, quod cernitur in vniuersi generis humani societate. Eius autem vinculum est ratio & oratio, quæ docendo, discendo, comunicando, disceptando, iudicando conciliat inter se homines, coniungitque naturali quadam societate. Neque vlla re longius absumus à natura ferarum, in quibus inesse fortitudinem sæpe dicimus, vt in equis, in leonibus: iustitiam, æquitatem, bonitatem non dicimus. Sunt enim rationis & orationis expertes. Ac latissimè quidem patens hominibus inter ipsos, omnibus inter omnes societas hæc est: in qua omnium rerum, quas ad communem vsum hominum natura genuit, est seruanda communitas, vt quæ descripta sunt  
le-

## de Officijs.

legibus & iure ciuili, hæc ira teneantur, vt sit constitutum, è quibus ipsis cætera sic obseruentur, vt in græcorum prouerbio est: Amicorum esse communia omnia. Omnia autem communia hominum videntur ea, quæ sunt generis eiusdem, quod ab Ennio positum in vna re, transferri in multas potest:

Vt, homo qui erranti comiter monstrat viam.

Quasi lumen de suo lumine, accendat, facit,

Vt nihilominus ipse luceat, cum illi accenderit.

Vna enim ex re satis præcipitur, vt quicquid sine detrimento possit commodari id tribuatur cuique vel ignoto. Ex quo sunt illa communia, Non prohibere aquam profluentem, pati ab igne, ignem capere.

appoynted by statutes, and the ciuill law bee obserued in such sort as it is ordayned, beeside which, all other things are so to bee obserued, as is in the Greeke prouerbe: Among friends all things bee common. But all those things seeme common to all men which bee of that kinde, as beeing put for example by Ennius in one thing, may bee applyed to many. The man that gently shewes the way vnto the wandering wight, doeth, as if hee a candle should at his owne candle, light. That notwithstanding it light himselfe when lighted is the other.

For inough is taught vs by one ensample: that what so euer wee maye lend without hinderaunce, it bee graunted to euery body, yea, to the vnknownen.

Wherbypon these things bee common: Not to forbid one the running water: To suffer one that will, to take fire at our fire.

To

To giue faithfull counsell to him that asketh aduise: which things bee profitable to those that receiue them, and nothing burdalous to y<sup>e</sup> giouer: wherefore wee must both vse these things, & somewhat alwayes must wee doe to further the common profit.

But sith each priuate mans substance is small, and the multitude is endlesse, that neede it: Common liberalitie must bee referred to that ende of Ennius: That nathelesse it light himselfe:

So as there may bee an ability: wherewith wee may bee liberall to our owne.

There bee more degrees of the felloshippe of men.

For to leaue that endlesse number, there is a nyer degree, to bee of one Countrey, of one Nation, of one Language, by the which menne bee chiefly knyt together.

A neerer also it is, to bee of one Citie.

For there bee many things common to Citizens, among themselves: as law

si quis velit, consilium fidele deliberanti dare: quæ sunt ijs utilia, qui accipiunt, danti non molesta.

Quare & ijs vtendum est, & semper aliquid ad communem utilitatem afferendum.

Sed quoniam copie parua singulorum sunt: eorum autem, qui his egeant, infinita est multitudo, vulgaris liberalitas referenda est ad illum Ennij finem, nihilominus vt ipse luceat, vt facultas sit, qua in nostros simus liberales.

Gradus autem plures sunt societatis hominum. Vt enim ab illa discedatur infinitate, propior est eiusdem gentis, nationis, linguæ, qua maximè homines coniunguntur.

Interius etiam est eiusdem esse ciuitatis. Multa enim sunt ciuib<sup>9</sup>

inter



inter se communia, forum, fana, porticus, vię, leges, iura, iudicia, suffragia, consuetudines, preterea, & familiaritates, multęque cum multis res rationesque contrahunt. Arctior veró colligatio est societatis propinquorum. Ab illa enim immensa societate humani generis, in exiguum angustęque concluditur.

Nam cum sit hoc natura commune omnium animantium, ut habeant libidinem procreandi : prima societas in ipso est coniugio : proxima in liberis : deinde una domus, communia omnia.

Id autem est principium urbis, & quasi seminarium Reip. Sequuntur fratrum coniunctiones, post consobrinorum, sobrinorumque : qui cum una domo iam capi non possunt, in alias domos tanquam in colonias exeunt.

Courtes, Churches, Galleries, walkes, hygh wayes, statutes, lawes, iudgements, boyces, custome, and besides these, familiarities, and hauing to dooe in sundry matters, and bargains with sundry folke.

But a faster knitting of men together, is the fellowship of kinsfolke. For out of the innumerable fellowship of mankind it is dyuen to a litle and narrow compasse.

For wheras by nature this is common to all liuing creatures, to haue a lust to engendering : the first fellowship is in verie wedlocke : the next in Children, and after that, one house, and all things common. And this is the originall of a Citie, and as it were the Seedeplot of a common weale.

Then follow the kindreds of bretheren, after of brethren and sisters Children, who, when they now cannot bee containd in one House, get them abroade too other Houses, as into new towns.

Then

Then folow entermariages, and aliāces, of which also many folk do arise. Which multiplication, and succession of the roote of common weales. Surely by matching of bluds, a good willes that riseth thereof, knitterh men in loue together. For it is a great matter to haue the lyke monuments of aunceters, to vse all one religion, and to haue the same buriall places.

But of all felowships there is none better, none more assured, then when good men liue in condicions bee enfeelowshipt, in familiaritie, together.

For that honestie (which wee haue often mencioned) although we see it in another, yet it moueth vs and maketh vs friendes to him in whome the same seemeth to dwell. And though all vertue allureth vs to hir, and causeth vs to loue them, in whome shee seemeth to harbor: yet Justice and liberalitie worketh that most of all.

But there is nothing that winneth more loue, nor suer-

Sequuntur connubia, & affinitates: ex quibus etiam plures propinqui. Quæ propagatio & soboles, origo est rerum publicarum. Sanguinis autem coniunctio, & beneuolentia deuincit charitate homines. Magnum est enim eadem habere monumenta maiorum, eisdem vti sacris, sepulchra habere communia.

Sed omnium societatum nulla præstantior est, nulla firmitior, quam cum viri boni moribus similes familiaritate coniuncti sunt. Illud enim honestum (quod sæpe diximus) etiam si in alio cernimus, tamen nos mouet, atque illi, in quo id inesse videtur, amicos facit. Et quanquam omnis virtus nos ad se allicit, facitque ut eos diligamus, in quibus ipsa inesse videatur: tamen iustitia & liberalitas id maxime efficit. Nihil autem

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amabilius, nec copulati-  
us est quàm morum simi-  
litudo bonorum. In qui-  
bus enim eadem studia  
sunt, eedemque volun-  
tates, in his fit, vt æque  
quisque altero delectetur,  
ac se ipso : effici-  
turque id, quod Pytha-  
goras vult in amicitia,  
vt vnus fiat ex pluri-  
bus. Magna etiam illa  
communitas est socie-  
tatum, quæ conficitur  
ex beneficiis vltro ci-  
troque datis, acceptis-  
que. Quæ mutua &  
grata dum sunt, inter  
quos ea sunt, firma de-  
vinciuntur societate.  
Sed cum omnia ratio-  
ne, animoque lustra-  
ueris, omnium socie-  
tatum nulla est grati-  
or, nulla charior, quàm  
ea, quæ cum repub-  
lica est vnicuique no-  
strum.

Chari sunt parentes,  
chari liberi, propin-  
qui, familiares : sed  
omnes omnium cha-  
ritates patria vna

lyer knitteth men together,  
then a likenesse in good condi-  
tions. For in whom bee like  
desires & like mindes : it hap-  
peneth among them, that ey-  
ther with other is as much  
delighted, as with himselfe:  
and it is brought to passe,  
that Pythagoras requires in  
amitie, that many beecome  
one.

That common fellowship  
also is great, which growe-  
th of benefits to and fro,  
giuen and taken. Which  
while they bee comen from  
one to an other, and plea-  
surefull : they among whom  
those happen, bee tyed in a  
fast fellowship.

But when yee haue peru-  
sed all these things in your  
reason and mynde : of all  
felowshippes there is none  
more acceptable, nor dearer,  
then the same, which every  
one of vs hath with the com-  
mon weale.

Deere bee our Parents,  
deere bee our children, deere  
bee our kinsfolke, and fami-  
liers : but our countrey con-  
teynes in it alone all the  
deere



deere loue of them all: for the which what good man doubts to take his death, if hee may profit the same? Whereby theyr beastlye cruelty is the more to bee abhorred: who haue rent a sunder theyr Countrey with all manner of mischiefe, and both bee and haue beene occupped in the vtter ouerthrowing thereof.

But if question or comparison bee made, to whome the greatest duetye ought to bee reelded: our countrey and Parents bee the chiefe, by whose benefits wee are most bound, our children and all our whole family bee the next, which hang all vpon vs alone, and can haue none other refuge: then be our kinsfolke, & agree well with vs, which commonly stande in the lyke estate.

Wherefore the necessarye aides of lyfe bee due to them chiefly, whom I spake of before, but conuersation & communion of table, counselings, communications, exhortations, comfortinges, pea-

complexa est: pro qua quis bonus dubitet mortem oppetere, si ei sit profuturus? Quo est detestabilior istorum immanitas, qui lacerarunt omni scelere patriam, & in ea funditus delenda occaupati & sunt & fuerunt. Sed si contentio quædam, & comparatio fiat, quibus plurimum tribuendum sit officij, principes sint patria, & parentes, quorum beneficijs maximè obligati sumus: proximi liberi, totaque domus, quæ spectat in nos solos, neque aliud vllum potest habere refugium. Deinceps, bene conuenientes propinqui, quibuscum communis etiam fortuna plerumque est.

Quamobrem necessaria vitæ præsidia debentur ijs maximè, quos antè dixi. Vita autè, victusq; communis, consilia, sermones, cohortationes, cōsolationes, interdū etiā

D.ij.

obiur.

## de officijs.

obiurgationes, in amicitijs vigent maximè, est que ea iucundissima amicitia, quam similitudo morum coniugauit. Sed in his omnibus officijs tribuendis, videndum erit quid cuique maximè necesse sit & quid quisque nobiscum, vel sine nobis, aut possit consequi, aut non possit. Itaque non iidem erunt necessitudinum gradus, qui & temporum. Sunt quædam officia, quæ alijs magis, quàm alijs debeantur: vt vicinum citius adiuueris in fructibus percipiendis, quam aut fratrem, aut familiarem.

At si lis in iudicio sit, propinquum potius & amicum, quàm vecinum defenderis. Hæc igitur & talia circumspicienda sunt in omni officio: & consuetudo, exercitatioq; capienda, vt boni rationatores officiorum esse possimus, & addendo de ducendoq; videre,

and chidinges otherwhyle among friendes bee most vsed, and that is the pleasauntest friendshippe, which lykenesse of conditions hath yoked in one.

But in dooing all these duties, wee must marke what is most needeful for euery man: and what euery bodye is able, or vnable by vs, or without vs to attaine. So the degrees of friendshippes shall not bee a lyke wyth the degrees of times: and there bee dueties which are due to some, more then to other some: as you shall sooner help your neighbour in inuening his cozne, then eyther your brother, or your familye ar friend: but if there bee a trauers in law, you shall rather defende your kinsman, and friend, then your neighbour. These therefore and such lyke must bee thoroughly considered in euery dutie: and wee must so vse, and practise our selues, that wee may bee good countmakers of dueties, and see by adding and deducting.

What

what sum riseth of the rest, wherebpon wee may vnderstande how much is due to euery man. But as neyther Philistions, nor Captaynes, nor Oratours, although they haue conceyued the rules of theyr science, canne attaine any thing worthe of great prayse, without vse and practise: so those rules of keeping duety are indeed taught vs, that wee our selues should put them in vse: but the hardnesse of the matter also requireth vse and exercise.

And how honestye, from which duety springeth, is fetched out of those thinges that bee within the law of mans fellowshippe: wee haue in a manner sayd inough.

But wee must note, that where as there bee fower generall kindes of vertues poynted out, from the which honestie and duety shoulde flow, that seemes to shine brightest, which is wrought with a great and lofty courage, despising worldly vanities. And therefore in re-

quæ reliqui summa fiat: ex quo quantum cuique debeat intelligas. Sed vt nec medici, nec imperatores, nec oratores, quamuis artis præcepta perciperint, quicquam magna laude dignum sine vsu & exercitatione consequi possunt: sic officij conseruandi præcepta traduntur, illa quidem vt faciamus ipsi: sed rei magnitudo vsum quoque, exercitationemque desiderat.

Atque ab ijs rebus, quæ sunt in iure societatis humanæ quemadmodum ducatur honestum, ex quo ortum est officium, satis ferè diximus.

Intelligendum est autem cum proposita sint genera quatuor, è quibus honestas, officiumque manaret, splendidissimum videri, quod animo magno, elatoque, humanasque res dispiciente factum sit, Ita; in

D.iiij.

pro-



## de Officijs.

probris maximè in pmp-  
tu est. Si quid tale dici  
potest.

Vos etenim iuuenes  
animos geritis muliebres:  
Illaq; virgo viri.

Et si quid est eiusmodi.

Salmacida spolia,  
sine sudore & sanguine.

Contraque in laudibus, quæ magno animo & fortiter excellenterq; gesta sunt, ea nescio quomodo quasi pleniore ore laudamus. Hinc Rhetorum campus de Marathone, Salamine, Plateis, Thermopylis, Leuctris, Stratocle: Hinc noster Cocles. Hinc Decij, hinc Cneus & Publius Scipiones, hinc Marcus Marcellus, & innumerabiles alij maximeq; ipse populus Rom. animi magnitudine excellit. Declaratur autem studium bellicæ gloriæ

proch it is commonly readye  
if any such thing may be said,  
as this.

You young men itwis,  
carrie womens hearts,  
That virgin a mans.

Lykewise if ought bee lyke  
to this.

A goodly great spoyle,  
at Salmacis wonne:  
Without any bloud,

or sweat was it doone.

And on the other side, in praising those deeds, that bee done manfully, notably, and with great courage, I wotte not who as with open mouth wee commend. Heereof came the Rethoricians large field vpon Marathon, Salamis, Plateias, Thermopilanes, Leuctrians, and Stratocles, heereof our Cocles, heereof the Decians, heereof Cneus and Publius the Scipioes, heereof Marcus Marcellus, and other innumerable, & specially the people of Rome did exceede in greatnesse of courage. And theyr desire of martiall glorie is declared  
in

in that wee see theyr images  
of honour bee set vp, for the  
most part in warlike arate.

But if that hartynesse of  
courage which is seene in pe-  
rills, and trauailes, bee boyd,  
of iustice, and doth not fight  
for a common safety, but for  
a private profit, it is to bee  
reckoned faultye. For that  
not onely is not the property  
of vertue, but rather of brū-  
tishnesse, setting all humani-  
tie aside.

Therefore manlynesse is  
well defined of the Stoikes,  
where they say, it is a ver-  
tue that fighteth in defence  
of equitie. Wherefore no  
man that hath attayned the  
gloze of manlynesse, euer  
got prayse by twylve traynes  
and craftinesse. For nothing  
may bee honest, that is boyde  
of iustice. A worthy saying  
therefore is that of Platoes,  
who sayth.

That not onely the know-  
ledge which is seuered from  
iustice, is rather to bee cal-  
ledde subtiltye then wise-  
dome, but also the courage

quòd statuas quoq; vi-  
demus ornatu fere mi-  
litari. Sed ea animi ela-  
tio, quæ cernitur in pe-  
riculis & laboribus, si  
iustitia vacat, pugnatq;  
non pro salute commu-  
ni, sed pro suis commo-  
dis, in vitio est. Non mo-  
do enim id virtutis non  
est: sed potius immani-  
tatis omnem humani-  
tatem repellentis. Itaq;  
probè definitur a Stoi-  
cis fortitudo, cū eam  
virtutem esse dicunt,  
propugnantem pro æ-  
quitate. Quocirca ne-  
mo, qui fortitudinis glo-  
riam consequutus est, in-  
sidijs & malitia laudem  
est adeptus. Nihil enim  
honestum esse potest,  
quod iustitia vacat. Pre-  
clarum igitur Platonis  
illud.

Non solum (inquit) sci-  
entia, quæ est remota a  
iustitia, calliditas potius  
quàm sapientia est appel-  
landa: verū etiam animus  
D.iiiij. pa-

## de Officijs.

paratus ad periculum, si sua cupiditate, non utilitate communi impellitur, audaciae potius nomen habeat, quam fortitudinis.

Itaque viros fortes et magnanimos, eosdem bonos & simplices veritatis amicos, minimèq; fallaces esse volumus: quæ sunt ex media laude iustitiæ. Sed illud odiosum est, quod in hac elatione & magnitudine animi facillimè pertinacia & nimia cupiditas principatus innascitur.

ut enim apud Platonem est: omnem morem Lacedæmoniorum inflammatum esse cupiditate vincendi, sic ut quisque animi magnitudine maximè excellit, ita maximè vult princeps omnium, vel potius solus esse. Difficile autem est, cum præstare omnibus concupieris, servare æquitatem, quæ est

which is forwarde to danger, if it bee set on, for ones owne greedinesse, and not for a common profit, may rather beare the name of lewd hardinesse, then of manlinesse.

Wherefore who bee manly men, and stoute harted, those same wee woulde haue all bee good, and plaine louers of trouth, and nothing at all deceitfull: which come out of the middlest of all the praises of iustice. But this is odious, that in such hautinesse, & greatnesse of courage, there groweth a willingnesse verie soone, and an ouerseeking of rule.

For as it is in Plato, that it was all the manner of the Lacedemonians to bee inflamed with desire of conquering: so as every man doth most excell other in greatnesse of courage, hee will likewise bee the very highest ouer all, or rather without peere. And when you come to bee aboue all, it is harde to keepe an equitie which is most

pro



proper to iustice, Whereof comes to passe, that they cannot abide to bee bydded, neyther with reasoning, nor with any common and rightfull order of law: and they beecome in the common weale for the most part gift giuers, & part-makers, that they maye attayne to the greatest power, & bee rather by might superior, then by iustice equall. But the harder it is to master the affection, the worthier is the mastreie.

For there is no season that ought to bee without iustice. They therefore bee counted manly, and of great courage, not who dooe any wrong, but who withstande it. But a true and wise stoute heart iudgeth that honestie, which nature chiefly followeth to stande in deedes, and not in glorie: and had rather bee, then seeme the chiefe. For who so hangeth vpon the wauering of the vnskilful multitude, hee is not to bee counted among the number of manly men. But as euerie man is of the highest

iustitiæ maximè propria. Ex quo fit, vt neque disceptatione vincat se, nec villo publico ac legitimo iure patiantur. Exsuntque in Re-pub. plerumque largitores & factiosi, vt opes quàm maximas consequantur, & sint vi potius superiores, quàm iustitia pares. Sed quo id est difficilior hoc præclarior.

Nullum enim est tempus, quod iustitia vacare debeat. Fortes igitur & magnanimi sunt habendi, non qui faciunt, sed qui propulsant iniuriam: vera autem & sapiens animi magnitudo honestum illud, quod maximè natura sequitur, in factis positum, non in gloria iudicat, principemque se esse mauult, quam videri. Et enim qui ex errore imperitæ multitudinis pendet, hic in magnis viris non est habendus. Facillimè

D.v.

autem

## de Officijs.

autem ad res iniustas impellitur, vt quisque altissimo est animo & gloriæ cupido. Qui locus est sanè lubricus: quòd vix inuenitur, qui laboribus susceptis, periculisq; aditis, non quasi mercedem rerum gestarum desideret gloriam. Omnino fortis animus & magnus duabus rebus maximè cernitur: quarum vna in rerum externarum despicientia ponitur, cum persuasum sit nihil hominem nisi qd' honestum, decorūq; sit, aut admirari, aut optare, aut exoptare oportere: nulliq; neq; homini, neque perturbationi animi, nec fortunæ succumbere. Altera est res, vt cum ita sis animo affectus, vt supra dixi, res geras magnas illas quidem & maximè vtilis, sed vehementer arduas, plenasq; laborū et periculorū, tum vitæ causa, tum multarū rerū, quæ ad vitā pertinet. Harum rerū duarū

courage, and desirous of glory, so is hee soonest egged to vniust dooings, which is indeede a very slipper place, because scarce there is any man found, who when hee hath sustained trauailes, and aduantaged daungers, both not desire glorie, as reward of his dooings.

A manlye courage and a great, is alwayes by two thinges chieflie discerned, whereof the one standes in the contempt of outward things, when it is persuaded, that a man ought not eyther to esteeme eyther with, or desire any thing, but that is honest and seemely, to yeelde to none, neyther man, nor affection, nor chaunce of fortune. The other thing is, that when you bee so disposed in courage as I sayd beefore, yee dooe great enterprises, and those same ryght profitable, but yet very heard, and full of trauaile and danger, both for lyfe, and for many things that to lyfe dooe belong. All the glory and honour of these two things,

(I adde thereto the profit) standes in the latter, but the cause and meane, that makes many men, is in the former. For in it is that which maketh excellent courages, and such as despise the worldes vanities. But this same resteth in two things, if both you iudge that onely to bee good, which is honest, and also be free from all moodinesse of minde. For it is to be counted the part of a great and manly courage, both to sette light by those things which dooe seeme precious and gorgeous to the greater number, and also to despyse the same, with a steadfast and grounded iudgement: and likewise it is a signe of mighty courage, and great steadfastnesse, so to beare those things, which seeme bitter, and bee much and sundry wayes tost in mannes lyfe, and fortune, as nothing you swarue from the order of nature, nor the worthinesse of a wise man. And it is not meete, that hee bee subdued: with despyre, who is

splendor omnis & amplitudo (addo etiam utilitatem, in posteriore est: causa autem & ratio efficiens magnos viros, est in priore. In eo enim est illud, quod excellentes animos & humana contemnentes facit. Id autem ipsum cer nitur in duobus, si & solum id, quod honestum sit, bonum iudices & ab omni animi perturbatione liber sis. Nam & ea, quæ eximia plerisque & præclara videntur, parva ducere, eaque ratione stabili, firmaque contemnere, fortis animi, magnique ducendum est. Et ea quæ videntur acerba, quæ multa & varia in hominum vita fortunaque versantur, ita ferre, ut nihil a statu naturæ discedas, nihil a dignitate sapientis, hoc robusti animi est, magnæque constantiæ. Non est autem consentaneum, qui metu non frangatur, cum



## de Officijs.

eum frangi cupiditate : nec qui inuictum se a labore præstiterit, vinci a voluptate. Quamobrem hæc vitanda sunt : & pecuniæ fugienda cupiditas. Nihil enim est tam angusti animi, tam que parui, quàm amare diuitias. Nihil honestius magnificentiusq;, quam pecuniam contemnere si non habeas : si habeas, ad beneficentiam, liberalitatemque conferre.

Cauenda est etiam gloriæ cupiditas, vt supra dixi. Eripit enim libertatem : pro qua, magnanimis viris omnis debet esse contentio. Nec vero imperia expetenda ac potius aut non accipienda interdum, aut deponenda nonnunquam. Vacandum autem est omni animi perturbatione, tum cupiditate & metu, tum etiam ægritudine, & voluptate animi & iracundia, vt tranquillitas adsit & se-

not subdued with feare, nor that hee bee overcome with pleasure, who hath shewed himselfe vnable to bee overcome with trauayle, wherefore both these faultes are to bee auoyded, and also countousnesse of money is to bee eschewed. For nothing is so much a signe of a small and slender courage, as to loue riches : nothing there is honestier and nobler, then to dispse money if you haue it not : and if you haue it, to bestow it in bounteousnesse and liberalitye.

Wee must also bee ware of desire of glory, as I sayd before. For it pulles away the freedome of the minde : for the which all y<sup>e</sup> indeauour of stout hearted men should bee. And verily wee ought not to seeke for rule, but rather not to receiue it sometime, or otherwhile to giue it ouer. And wee must bee free from all troublesome sturre of minde : from desire and feare, from heart sicknesse and voluptuousnesse, and angrinesse : that wee may haue quietnesse of minde,

minde, and boldnesse of care, the which may bring both steadfastnesse, and also a worthie estimation.

But diuers there bee, and haue been: who desiring that same quietnesse that I speake of, haue withdrawn themselves from common affaires, and haue gotte them to quietnesse. Among these both the noblest Philosophers, and the very chiefe, and also certaine vpright and graue men, neither could abide the manners of the people, nor of the rulers: and many of them haue liued in desert places, as delighted onely with theyr home matters.

These shoote at the same markes that kings dooe, that is, to haue need of nothing, to obey no man, and to vse theyr owne libertie, whose property is, to liue as pee list. Wherefore sith this is common both to the desirous of power, and those whome I spake of, that leade the quiet lyfe: the one sort doe thinke themselves able to compasse it, if they haue

curitas, que afferat tum constantiam, tum etiam dignitatem.

Multi autem & sunt & fuerunt, qui eam, quam dico, tranquillitatem expetentes, a negocijs publicis se remouerunt, ad otiumque profugerunt. In his, & nobilissimi Philosophi, longeque principes, & quidem homines seueri & graues, nec populi, nec principum mores ferre potuerunt, vixeruntque nonnulli in agris, delectati re sua familiarì.

His idem propositum fuit, quod & Regibus: vt ne qua re egerent, ne cui parerent, libertate vterentur: cuius proprium est, sic viuere vt velis.

Quare cum hoc commune sit potentie cupidorum, cum ijs, quos dixi otiosos: alteri se adipisci id posse arbitrantur, si opes magnas habe-

## de Officijs.

habeant : alteri, si contenti sint suo & paruo. In quo quidem neutrorum omnino contemnenda est sententia. Sed & facilius, & tutius, & minus alijs grauis, aut molesta vita est otiosorum. Fructuosior autem hominum generi, & ad claritatem amplitudinemque aptior eorum, qui se ad Rempub. & ad res magnas gerendas accommodauerunt. Quapropter et ijs forsitan concedendum sit, Rempub. non capessentibus, qui excellenti ingenio, otio, doctrinaeque sese dediderunt :

Et iis, qui aut valetudinis imbecillitate, aut aliqua grauiore causa impediti, à Republica recesserunt, cum eius administranda potestatem alijs, laudemque concederent. Quibus autem ealis nulla sit causa,

great wealth : the other, if they bee contented with theirowne, and a litle. Wherein verily the opinion of neither of them is biterlye to be despised : but the lyfe of the quiet liuers, is both easier and safer, and lesse greuous or troublesome to other : and theiys is the profitabler, for mankynde, and fitter for fame and honour : who haue applyed themselves to the common weale, and going thorough with great matters. Wherefore peraduenture both they are to bee bozne withall, that take not in hand the common weale, who of an excellent wit haue applyed themselves to learning : and also they, who being letted either by sicklynesse, or some other more weightier cause, haue conuayed themselves away from the common weale : when they were well content to leaue to other the authoritie and prayse of ruling the same. But to whom there is no such occasion : if they



they say they set nought by those things, that most men haue in admiration, as rule, and office bearing, to these I think it worthy to bee compensated not only no praise, but also a fault, whose iudgement it were very hardde to disallow, in that they dispise glory, and esteeme it as nothing, but they seeme to feare the troubles and grieues both of giueing offence, & hauing repulses as a certayne reproch and defame.

For there bee, who dooe lyttle agree with themselves in things that bee contrarie, as some most earnestly contempne pleasure, and in paine bee somewhat tenderer, some regared not glory, and be broken wyth slaunder: and these things they dooe not wyth sufficient steadfastnesse. But all lingeringe sette asyde, offences are too bee taken, and the common weale to bee serued of those, who haue by nature the helppes of dispatch of matters. For otherwise can neyther the state

si despicere se dicant ea, quæ pleriq; admirentur, imperia, & magistratus: ijs non modo non laudi, verum etiam vitio dandum puto: quorum iudicium in eo, quod gloriam contemnant, & pro nihilo putent, difficile factum est non probare. Sed videntur labores, & molestias, tum offensionum, tum repulsarum, quasi quandam ignominiam timere & infamiam. Sunt enim qui in rebus contrarijs parum sibi consent, voluptatem seuerrissimè contemnant in dolore sint molliores: gloriam negligent, frangantur infamia: atque ea quidem non satis constanter. Sed ijs, qui habent a natura adiumenta rerum gerendarum, abiecta omni cunctatione, adipiscendi magistratus sunt, & gerenda Resp. est.

Nec enim aliter aut regi ciuitas,

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ciuitas, aut declarari animi magnitudo potest. Capeſſentibus autem Rempub. nihil minus quam Philoſophis, haud ſcio an magis etiam & magnificentia & diſpiciencia adhibenda ſit rerum humanarum (quam ſæpe dico) & tranquillitas animi, atque ſecuritas.

Si quidem nec anxij futuri ſunt & cum grauitate, conſtantiaque victuri. Quæ eò faciliora ſunt Philoſophis, quò minus patent multa in eorū vita, quæ fortuna feriat: & quo minus multis rebus egent: & quia ſi quid aduerſi eueniat, tam grauiter cadere non poſſunt.

Quocirca non ſine cauſa maiores motus animorum concitantur, maioraque efficienda Rempub. gerentibus, quàm quietis: quo magis his & magnitudo animi eſt adhibenda, & vacuitas ab

bee gouerned, nor the greatneſſe of courage bee declared. And of ſuch as take vpon them the common weale, no leſſe then of Philoſophers, yea and I wote not whether more, muſt be vſed both a maieſtie, & a contempt of worldlye things, (which I often repeat) and alſo a quietneſſe of mynde, and boydneſſe of care: for ſo they ſhall not bee thoughtfull, and with grauity, and ſtedfaſtneſſe they ſhall leade their lyfe, which things bee ſo much the eaſier to Philoſophers, as þ fewer thinges ly open in their lyfe, that fortune may ſtrike: & as the fewer things they ſtand in neede of and beecaue they cannot take ſo ſore a fall, if any aduerſitie beetide.

Wherfore not without cauſe, greater mocions of mindes bee ſtirred vp in them: and greater enterpriſes are meete to bee compaſſed, by the gouernoures of the common weale, than by the quiet lyuers, and therefore the more greatneſſe of courage, and boydneſſe of griefes ought they

they to b'e . But who so doth come to the dooing of matters , let him take heede that not onely this hee consider , how honest the matter is , but also that he haue an ablenesse to discharge the same . In the which point must bee considered: that neither ouer sone he despair for dastardlynesse , nor ouer much haue assurance for greedinesse . And in all matters, befoze yee goe about them , there must bee vsed a diligent preparation.

But whereas most menne suppose martiall feates to bee greater , than Citie causes : this opinion is to bee abated. For many haue sought war oftentimes , vpon desyre of glory , and it commonly befallerh in great wyttes , and courages , and so much the more if they bee men fit for Chualrye , and desirous of warfare.

But if wee minde to iudge truly : there haue beene many citie matters greater , & nobler thā martiall. For though Themistocles bee rightfully commended, and his name is

angoribus. Ad rem gerendā autem qui accedit, caueat ne id modò consideret, quam illa res honesta sit, sed etiam vt habeat efficiendi facultatē. In quo ipso considerandum est ne aut timerē desperet ppter ignauā : aut nimis confidat ppter cupiditatē. In omnibus autem negotijs priusquam aggrediare, adhibenda est pparatio diligens. Sed cum pleriq; arbitrentur res bellicas maiores esse, quam vrbanas, minuenta est hęc opinio.

Multienim bella sępe quęsiuerunt propter glorię cupiditatem, atq; id in magnis animis, ingenijsq; plerumq; cōtingit eoq; magis si sint ad rem militarem apti, & cupidi bellorum gerendorum. Verē autem si volumus iudicare, multę res existerunt vrbane maiores clariioresq; quā bellicę.

Quāuis enim Themistocles iure laudetur & sit ei

E.

nomen



## de Officijs.

nōnē q̄ Solonis illustri-  
us : citeturque Salamis  
clarissimæ testis victoria-  
æ, quæ anteponatur con-  
silio Solonis, ei, quo  
primum constituit Are-  
opagitas : non minus  
præclarum hoc, quam  
illud iudicandum est.  
Illud enim semel profu-  
it, hoc semper proderit  
ciuitati, hoc consilio le-  
ges Atheniensium, hoc  
maiorum instituta ser-  
uantur. Et Themisto-  
cles quidem nihil dixit,  
in quo ipse Areopagum  
adiuertit at ille verè ad-  
iuuit Themistoclem. Est  
enim bellum gestum con-  
silio senatus eius, qui à  
Solone erat constitutus.  
Licet eadem de Pausa-  
nia, Lyfandroque dice-  
re, quorum rebus gestis  
quanquam imperium  
Lacædemonijs dilata-  
tum putatur : tamen  
ne minima quidem ex  
parte Lycurgi iugibus  
& disciplinæ confe-  
rendi sunt. Quin eti-  
am ob has ipsas causas,

more famous than Solons;  
and Salamis is cited a wit-  
nesse of his most glorious vic-  
tory, and it is preferred aboue  
the counsell of Solon, where-  
with hee first ordered the  
Areopagites, yet no lesse  
prayse worthy is this, than  
that to bee adiudged. For  
that but once auayled, this  
shall for euer auaille the citie.  
By this counsell, the lawes  
of the Athenians, by this,  
the orders of theyr Elders  
bee preserved. And Themis-  
tocles canne aledge nothing,  
wherewith hee furdured the  
Areopage, but Solon fur-  
dured Themistocles. For the  
warre was mayntayned by  
the aduise of that Senate,  
which by Solon was esta-  
blished.

Wee may say as much of  
Pausanias, and Lyfander:  
by whose deedes of armes  
though y<sup>e</sup> Emperre of the La-  
cedemonians is thought to  
haue been enlarged, yet verely  
they are not to bee cōpared in  
the least part with Lyeurgus  
lawes, and order, yea more  
ouer by these occasyones,  
they

they hadde theyr armes both  
forwarde, and balpaunter.

Neither when I was a  
childe, mee thought Marcus  
Scaurus gaue place to Cay-  
us Marius : nor when I had  
a doo in the common weale,  
Quintus Catulus to Cneus  
Pompeius. For of small  
force is the warre abroad, but  
lesse there bee good aduice at  
home.

For Africanus, both a sin-  
gular man, and captaine also  
dyd more profit the common  
weale in racing of Rumance,  
then at that tyme, Publius  
Nasica, a priuate man, dyd  
further it when hee slew Ti-  
berius Gracchus. Howbeit  
this case indeede is not one-  
ly a Cittie matter. For it bee-  
cometh also to the nature of  
martiall feates, sith it was  
wrought by force, and by  
strong hand. But yet that  
same was done by cittie coun-  
sell, without an armie. And  
that is a goodlye saying,  
wherewith I heare, that I  
am woont to bee touched of  
the enuyous and lewd per-  
sons.

et paratiores habuerunt  
exercitus & fortiores.

Mihi quidem neque pu-  
eris nobis, Marcus Scau-  
rus Caio Mario : neque  
cum versaremur in Re-  
publica, Quintus Ca-  
tulus Cneio Pompeio,  
cedere videbatur. Parua  
enim sunt foris arma,  
nisi est consilium do-  
mi.

Nec plus Africanus  
singularis & vir & im-  
perator, in excidenda  
Numantia, Reipublicæ  
profuit, quàm eodem  
tempore Publius Nasica  
priuatus, cum Tiberium  
Gracchum interemit.

Quanquam hæc quidem  
res non solum ex dome-  
stica est ratione, attingit  
enim & bellicam, quo-  
niam vi, manuque con-  
fecta est : sed tamen id  
ipsum gestum est, consi-  
lio vrmano sine exerci-  
tu. Illud autem opti-  
mum est, in quo inua-  
di solere ab inuidis &  
improbis me audio.

E.ij.

Ce-

## de officijs.

Cedant armatogæ,  
concedat laurea linguæ.

Vt enim alios omit-  
tam, nobis Rempub. gu-  
bernantibus, nonne to-  
gæ arma cessere? Neq;  
enim in Repub. pericu-  
lum fuit grauius vnquam  
nec maius odium. Ita  
consilijs, diligentiaque  
nostra celeriter de mani-  
bus audacissimorum ci-  
uium delapsa arma ipsa  
ceciderunt. Quæ resigi-  
tur gesta est vnquam in  
bello tanta? quis trium-  
phus conferendus. Licet  
enim mihi, Marce fili, a-  
pud te gloriari, ad quæ  
& hæreditas huius glo-  
riæ, & factorum imita-  
tio pertinet. Mihi qui-  
dem certè vir abundans  
bellicis laudibus Cneus  
Pópeius, multis audien-  
tibus hoc tribuit, vt dice-  
ret frustra se tertium tri-  
umphum deportaturum  
fuisse, nisi meo in Rem-  
pub. beneficio, vbi tri-  
umpharet, esset habitu-

To the robe about armes,  
let glozre beelong  
And the lawrell giues place:  
to the O atozs tong.

Foz that I may passe ouer  
other, dyd not armes yeelde  
vnto the roabe, when I go-  
uerned the common weale.  
Foz neyther in the common  
weale was euer a soper pe-  
rill, nor yet a greater hatred.  
So be our counsaile and dis-  
lygence, the verbe weapons  
full scone slyding out of the  
boldest Citizens handes, dy  
fall to the ground? What  
enterpryse I pray you in  
warre, was euer doone so  
great? what triumph is  
there with it to bee compa-  
red. Foz I may, Some  
Marke, glozre beefore you,  
to whome both the inheri-  
taunce of this glozre, and the  
imitation of my deeds doth  
pertaine. Cneus Pompeius  
a man flowing full of marty-  
all prayles, gaue me this com-  
mendation in the hearing of  
many, that hee sayd, hee should  
in bayne haue borne away  
the third triumph, except by  
my furdurance in the common  
weale.



weale, hee should haue had a place, where hee might haue triumphed. Home manhood then is not inferior to martiall, in which also wee must bestow more labour and studie then in this. For alwaies that honesty which wee seeke in a hartie and a princely courage, is wrought by the strength of the minde, and not of the body. Yet the body must bee exercised, and brought in such plight, as it may be able to follow counsaile and reason, in executing matters, and sustaining trauaile. But that honesty, where after we search, all wholly consisteth in the care, and casting of the mind, where in they bring no lesse commonditie, who robed doe governe the common weale, then they dooe, who armed dooe make the warres. And therefore by the advice oftentimes warres bee eyther not begun or ended, and many tymes attempted, as by Marcus Catoes counsaile, was the third Punicke warre, where in the authoritie of the dead man auayled, wherfore ra-

rus. Sunt ergo domesticę fortitudines non inferiores militaribus, in quibus plus etiam, quàm in his operę, studijque ponendum est. Omnino enim illud honestum, quod ex animo excelsio, magnificoq; querimus, animi efficitur, non corporis viribus. Exercendum tamen corpus, & ita afficiendum est, ut obedire consilio, rationique possit in exequendis negotijs, & in labore tolerando. Honestum autem id quod exquirimus, totum est positum in animi cura & cogitatione. In quo non minorem vtilitatem afferunt, qui togati Reipub. pręsunt, quàm qui bella gerunt. Itaque eorum consilio sæpe aut non suscepta, aut confecta bella sunt, non nunquam etiam illata, ut Marci Catonis consilio, bellum tertium Punicum, in quo etiam mortui valuit auctoritas. Quare expe-

E.ij.

tenda

## de Officijs.

\* **tenda quidem magis est decernendi ratio, quàm decertandi fortitudo.**

**Sed cauendum ne id bel-  
landi magis fuga, quam  
vtilitatis ratione facia-  
mus. Bellum autem ita  
suscipiatur, vt nihil ali-  
ud nisi pax quæsita vide-  
atur. Fortis vero animi  
& constantis est, non per-  
turbari in rebus asperis,  
nec tumultuantem de  
gradu deiici, vt dicitur:  
sed præsentis animi vti  
consilio, nec a ratione  
discedere. Quanquam  
hoc animi, illud etiam  
ingenij magni est perci-  
pere cogitatione futu-  
ra: & aliquantò antè  
constituere quid accide-  
re possit in vtramque  
partem: & quid agen-  
dum sit, cum quid eue-  
nerit, nec committere  
aliquid, vt aliquando di-  
cendum sit. Non puta-  
ram. Hæc sunt opera  
magni animi & excelsi,  
& prudentia, consilioq;  
fidentis.**

**Temere autem in a-**

**there wisdom in determi-  
ning, then manlinesse in fight-  
ing is to bee desired: but wee  
must beeware that wee take  
not by the matter by aduice,  
more to auoyde warre, then  
for cause of profit. And so  
let warre bee taken in hand,  
as no other thing may seeme  
but peace to haue been sought.  
And it is verily a token of a  
manly courage, & a constant,  
not, to bee disquieted in rough  
stormes, nor in making a  
churle to bee thrust from his  
place, as they say, but to fol-  
low the counsell of a present  
courage, nor yet to swarue  
from reson. Notwithstanding  
the one come of courage, the  
other proceedes of a great  
wit to fore conceiue in mynde  
things to come, and somewhat  
before to appoynt vppon  
what maye befall on both  
sides, and what is to be done,  
when any thing shall happen,  
nor to commit ought that at  
anye tyme one shoud haue  
cause to say, had I wist.**

**These be y<sup>e</sup> works of a great  
and loftie courage, & leaning  
vpon prudence and counsell.**

**But**

But for a man to vse himselfe rashly in field, and so to buckle with the enimie hand to hand, it is a certaine brutish & beastly thing, but when time is, & necessitie requires, a man must fight hand to hand, and prefer death beefore flatterie and shame. But touching the raising and sacking of cities, this greatly is to bee considered, that nothing rashly, nothing cruelly bee doone.

And it is the condition of a stout harted man, in the ende of boiles, to punish the offenders, to saue the multitude, in every citate to mayntayne right and honestie. For like as there bee (as I sayde tofore) who dooe prefer martiall fiates beefore Ciuile causes: so many yee finde many to whome daungerous, and hot brained deuises seeme gloriouser and greater then quyet counsels. Wee must neuer by seeking to escape perills, deserue to seeme cowardes and dastardes, but this wee must take heede off, that wee put not our selues, in daunger without cause:

cie versari, & manu cum hoste conflare inmane quiddam, & belluarum simile est. Sed cum tempus, necessitasq; postulat, decertandum manu est, & mors seruituti turpitudiniq; anteponenda. De euertendis autem, deripiendisq; urbibus, valde illud considerandum est: ne quid temerè, ne quid crudeliter fiat. Idque est veri magnanimi rebus agitatae punire fontes, multitudinem conseruare, in omni fortuna, recta atque honesta retinere.

Vt enim sunt (quemadmodum supra dixi) qui urbanis rebus bellicas anteponunt: sic reperies multos, quibus periculosa & callida consilia quietis cogitationibus splendidiora et maiora vidicatur. Nuquā omnino periculi fuga commitendū est, vt imbelles, timidiq; videamur, sed fugiendū etiam illud ne offeramus: nos periculis sine causa:

E.iiiij.

quo



## de Officijs.

\*  
quo nihil potest esse  
stultius. Quapropter in  
adeundis periculis con-  
suetudo imitanda medi-  
corum est, qui leuiter æ-  
grotantes, leuiter curāt,  
grauioribus autem mor-  
bis periculosas curati-  
ones & ancipites adhi-  
bere coguntur. Quare in  
tranquillo tempestatem  
aduersam optare demen-  
tis est, subuenire autem  
tempestati quauis rati-  
one, sapientis : eoque  
magis, si plus adipiscare  
re explicata boni, quam  
addubitata mali. Pericu-  
losæ autem rerum  
actiones partim ijs sunt,  
qui eas suscipiunt, par-  
tim Reipub. Itemque alij  
de vita, alij de gloria,  
& beneuolentia ciuium  
in discrimen vocantur.  
Promptiores igitur de-  
bemus esse ad nostra pe-  
ricula, quàm ad commu-  
nia : dimicareque para-  
tius de honore & glo-  
ria, quàm de ceteris com-  
modis. Inuenti autem  
multi sunt, qui non mo-

for there can bee nothing foo-  
lisher, then so to dooe, where:  
fore in aduenturing dangers,  
the guise of the phisitions is,  
to be followed, who doe light-  
ly cure the lightly diseased,  
but to sore sicknesse they bee  
driven to minister daunge-  
rous & doubtful medicines.  
Therefore in calme to wish a  
sore tempest, it is a mad mans  
part, but to make shift in a  
tempest by all manner means,  
it is a wise mans property,  
and so much y more, if yee at-  
taine more good when the  
thing is past, then harme whē  
it was in doubt. But the doe-  
ing of matters bee daunge-  
rous, partly to those which  
take them in hand, and partly  
to the common weale. And al-  
so some bee brought in hazard  
of theyr lyfe, some of theyr  
glo ye, some of the peoples  
fauour, wee ought therefore  
to bee readyer to aduenture  
our owne, then common pe-  
rills, and to fight sooner for  
honour and glozy, then for o-  
ther commodities.  
But there haue beene found  
many, who for their countrey  
were

were ready to spend, not one-  
ly theſe ſubſtaunce, but alſo  
theſe life, and theſe ſame yet  
would not bee content to  
loſe one jot of theſe glorie,  
no not though the common  
weale would require it, as  
Callitides, who when  
hee was captayne of the La-  
cedemonians, in the Pelo-  
ponneſian warre, and hadde  
doone many things worthe-  
ly, in the ende ouertourned  
all, when hee dyd not follow  
theſe aduiſe, who thought  
good to transport the ſhawe  
from Arginuleſe, and not to  
fight with y Athenianſe. To  
whom hee made aunſwere,  
how the Lacedemoniſe, the  
ſhawe beeing loſt, might  
make forth another: hee could  
not ſpe without his diſhonour.  
And this was no doubt, to  
the Lacedemonians a meetly  
ſore plague, but that was a  
peſtilent plague, whereby the  
Lacedemonians power fell  
flatte to the ground, when  
Cleombrotus, fearing eny,  
had raſhly encountered with  
Epaminondas.

dò pecuniam ſed vitam  
etiam præſondere pro  
patria parati eſſent: ij-  
dem glorię iacturam ne-  
minam quidam facere  
vellent, ne Kepu. quidem  
poſtulate: vt Calli-  
tides, qui cum Lacede-  
moniorum dux eſſet Pe-  
loponneſiaco bello, mul-  
taque ſeciſſet egregiè,  
vertit ad extremum om-  
nia, cum conſilio non  
paruit eorum, qui claſ-  
ſem ab Arginuliſis remo-  
uendum, nec cum Athe-  
nienſibus dimicandum  
putabant: quibus illere-  
ſpondit, Lacedemonioſ  
claſſe illa amiſſa, aliã pa-  
rare poſſe, ſe fugere ſine  
ſuo dedecore non poſſe.  
Atque hæc quidem La-  
cedemoniſis plaga me-  
diocriſ fuit: illa peſtife-  
ra, qua cum Cleombro-  
tus inuidiam timens, te-  
mere cum Epaminon-  
da confluiſſet, Lacede-  
moniorum opes corru-  
erunt.

E.v.

Quanto

## de Officijs.

Quantò Quintus Maximus melius, de quo Ennius.

Vnus homo nobis cunctando restituit rem.

Non ponebat enim ruinos ante salutem.

Ergo postq; magisq; viri nunc gloria claret.

Quod genus peccandi, vitandum est etiam in rebus urbanis. Sunt enim, qui quod sentiunt, etiam, si optimum sit, tamen inuidiae metu non audent dicere. Omnino qui Reipublicae praefuturi sunt, duo Platonis praecepta teneant.

✱ Vnum ut utilitatem civitum sic tueantur, ut quicquid agunt ad eam referant, obliti commodorum suorum. Alterum, ut totum corpus Reipublicae curent: ne dum partem aliquam tueantur, reliquas deserant. Ut enim tutela, sic procreatio Reip. ad uti-

How much better did Quintus Fabius Maximus: of whom quoth Ennius.

One wight there is that hath our wealth restored by delays.

For hee beefore all ruinours dyd our safeties set alwaies: Wherefore in longer course of tyme the greater is his prayse.

Which kinde of misdoeing must bee also avoyded in Civill matters. For there bee men who bee it never so good that they thinck, yet for feare of envye they dare not better it, who so shall bee gouernours of the common weale, let them obserue two precepts of Platoes, one is, that they so mayntayne the profit of the commons, that whatsoeuer they doe, they referre it thereto, alwaies forgetting theyr owne commodities, the other is, that they haue care over the whole bodye of the common weale, least while they vpholde some one part, the rest they leaue destitute. For like as gardenship,

euen



euen so gouernement of the  
 common weale ought to bee  
 vsed to the profit of them  
 who are committed, and not  
 of them to whom it is com-  
 mitted. But who so prouide  
 for part of the people, and of  
 part bee retchlesse, they bring  
 in sedition and discord, the  
 thing most hurtfull to the com-  
 mon weale: whereby it bee-  
 falleth that some dooe seme  
 people pleasers, some affectio-  
 nate to nobilitie, but few to  
 the whole. Heereof sprang  
 great discention among the  
 Athenians: and in our com-  
 mon weale, not onely sedi-  
 tion, but also sore ciuil warre:  
 the which a graue and stout  
 Citizen, and worthy of rule  
 in the common weale, will  
 flye and hate: and giue him-  
 selfe whole to the common  
 weale, and nether hunt af-  
 ter riches nor power: but  
 will so defende the whole  
 state, as hee may prouide  
 for all men, nor by false  
 accusation will hee bringe  
 any manne into hated  
 or enuy: but alwayes  
 will so cleaue to iustyce,

litatem eorum, qui com-  
 missi sunt, non adeorū,  
 quibus commissa est, ge-  
 rendā est. Qui autem  
 parti ciuium consulunt,  
 partem negligunt, rem  
 perniciosissimam in ci-  
 uitatem inducunt, sedi-  
 tionem atq; discordiam.  
 Ex quo euenit vt alij  
 populares, alij studiosi  
 optimi cuiusque videan-  
 tur, pauci vniuersorum.  
 Hinc apud Athenienses  
 magnæ discordiæ ortæ  
 & in nostra Rep. non so-  
 lum seditiones, sed pe-  
 stifera etiā bella ciui-  
 lia, quæ grauis & fortis  
 ciuis in Republica dig-  
 nus principatu fugiet at-  
 que oderit, tradetque se  
 totum Reipublicæ, ne-  
 que opes aut potentiam  
 consectabitur, totam-  
 que eam sic tuebitur,  
 vt omnibus consulat.  
 Nec vero criminibus fal-  
 sis in odium aut inuidi-  
 am quenquam vocabit:  
 omninoq; ita iustitiæ,  
 honestatiq; adhærescet,  
 vt

## de Officijs.

vt dum eam conseruet, quemuis grauitè offendat, morte nque optet potius, quàm deserat illa, quæ dixi.

Melerrima est omnino ambitio, honorumque contentio. De qua præclare apud eundem est Platonem, similiter facere eos, qui inter se contenderent, vter potius Rempublicam administraret, vt si naturæ certarent quis eorū potissimum gubernaret. Idemque præcepit, vt eos aduersarios existimemus, qui arma contraherant, non eos, qui suo iudicio tueri Rempublicam velint: qualis fuit inter Publium Africanum, & Quintum Metellum sine acerbitate dissensio.

Nec vero audiendi sunt, qui grauitè irascendum inimicis putabunt, idque magnanimi & fortis viri esse censent.

and honestye & while hee may maintaine it, although he soe offend other, hee would desire death, rather then forsake those things & I haue spokē of: Ambitiō no doubt, and struing for promotion is a very miserable thing, whereof it is notable sayd in the same Plato, that semblable fare they, who would strue together, whether of them should rather rule the common weale, as if the Harryners should bee at variaunce which of them should chiefly gouerne the helme. And the same man hath taught vs, & those we take as enemies, which would beare armour against vs, and not those who by their discretion meane to preserve the common weale, as the discention beetweene Publius Africanus, and Quintus Metellus, was without all bitterness of malice. Neither are they worthy to bee heard, which holde opinion that wee should bee thoroughly angrie with our enemies, and dooe thinke it

It is the propertye of a stout harted and manly man. For there is nothing more commendable, nothing more seemly for a great and noble man, then pleasablenesse and mercie. But in free Cities, and where there is an equalitye of law, there must bee vsed also a mildnesse and noble courage, as they call it: least if we be angry either with commuters out of time, or crauers without shame, wee fall into a testinesse of minde, both vnprofitable and hatefull. And yet meekenesse and mercye is so to bee allowed, that for the common weales sake, a seueritie bee vsed: without which, a Citie cannot bee gouerned. But all punishment and chastisement must bee boyde of mallice, and not bee applied to serue his turne, who punisheth or rebuketh anye man, but to the common weales behalfe. Wee must also beware, that the punishment bee not greater than the faulte, and least all for one matter, some be corrected, some not once spoken

Nihil enim laudabilius, nihil magno & preclaro viro dignius placabilitate atque clementia. In liberis vero populis, & in iuris æqualitate, exercenda etiam est facilitas, & altitudo animiquæ dicitur: ne si irascamur, aut intempestiue accedentibus, aut imprudenter rogantibus, in morositatem inuilem & odiosam incidamus. Et tamen ita probanda est mansuetudo atque clementia, ut adhibeatur reipublice causa seueritas, sine qua administrari ciuitas non potest. Omnis autem & animaduersio & castigatio contumelia vacare debet: neque ad eius, qui punit aliquem, aut verbis castigat, sed ad Reipublicæ utilitatem referri.

Cauendum etiam ne maior poena, quam culpa sit, & ne eisdem de causis alij plectantur, alij ne appellentur quidem.

Pro-



## de Officijs.

\* Prohibenda autem maximè est ira in puniendo. Nunquam enim iratus qui accedat ad poenam, mediocritatem illam tenebit, quæ est inter nimium & parum: quæ placet Peripateticis et recte placet, modò ne laudarent iracundiam, & dicerent vtiliter à natura datam. Illa vero omnibus in rebus repudianda est: optandumque vt ij, qui præsunt Reipublicæ, legum similes sint, quæ ad puniendum non iracundia, sed æquitate ducuntur.

\* Atque etiam in rebus prosperis, & ad voluntatem nostram fluentibus superbiam, fastidium, arrogantiamq; magnopere fugiamus. Nam vt aduersas res, sic secundas immoderatè ferre leuitatis est, præclaraque est æquabilitas in omni vita, & idem semper vultus, eademque frons

bunt. And in punishing wee must chieflie refrayne from anger. For þe angry man that goeth about punishment shall neuer keepe that measure, that is betweene too much and too little: the which measure lyketh the Peripatetikes: and of good cause it lyketh them, were it so, they would not commend angrienesse, and say, that it is profitablye giuen of nature. But in all cases, the affection is to be refused: and it is to bee wished, that such as gouerne the common weale be like the lawes: which bee moued to punish offenders, not byppen any wrath, but byppen equitie.

Moreouer, in prosperitie, and when things flowe euen at our will, let vs earnestly flye pride, disdainefulnesse, and arrogancie. For as it is a point of lychtnesse, but measurably to beare aduersitie: so it is no lesse, but measurably to vse prosperitie: and a continuall evennesse in all a mannes life, and one cheere euermore, and one manner of face it is commendable,  
as

as wee haue hard of Socrate, and also of Caius Lelivus.

Certes I see, how Phillip kinge of the Macedonians was excelled of his sonne in prowesse, and glorie, yet in mildenesse, and gentlenesse, hee was far aboue him. Wherefore the one was alwayes noble, the other oftentimes full beastly, so that they seeme rightly to teach, which warne vs, that how much the higher we bee in degree, so much the lowlyer wee bear our selues. Panitius reporteth, how Africanus his scolar, & familiar friend, was wot to saye, lyke as Horses by reason of the dyuers fightes of warres waxing ouerhot, and couragious men vse to put to riders that they maye haue them the redyer, euen so men vnbrideled with prosperitie & ouertrusting to themselves should be brought as it were within the compasse of reason and learning, that they might thorowsee the fraiuenesse of the world, and the waueing of fortune.

vt de Socrate, itemque de C. Lelio accepimus. Phillippum quidem Macedonum regem, rebus gestis & gloria superatum filio: facilitate vero & humanitate video superiorem fuisse. Itaque alter semper magnus, alter sepe turpissimus fuit.

Vt recte precipere videntur qui monent, ut quanto superiores simus, tanto nos summissius geramus. Panætius quidem Africanum auditorem, & familiarem suum solitum ait dicere: ut equos propter crebras contentiones praeliorum ferocitate exultantes dormitoribus tradere solent, ut his facilius possint uti: sic homines secundis rebus effrenatos, sibi que praesidentes, tanquam in gyrum rationis, & doctrinae duci oportere, ut perspicerent rerum humanarum imbecillitatem, varietatemque Fortunae.

Ac-

## de Officijs.

Atq; etiam in secundis-  
imis rebus maximè est v-  
tendum consilio amicorū:  
iisq; maior etiam, quàm  
ante tribuenda est au-  
thoritas: iisdemq; tēpo-  
ribus cauendum est, ne  
assentatoribus patefaci-  
amus aures, nec adulari  
nos sinamus: in quo fal-  
li facile est. Tales enim  
nos tunc esse putamus, vt  
iure laudemur, ex quo  
nascuntur innumerabi-  
lia peccata: cum homi-  
nes inflati opinionibus  
turpiter iridentur, & in  
maximis versantur erro-  
ribus.

Sed hæc quidem hac-  
tenus. Illud autem sic  
est iudicandum: max-  
imas geri res, & max-  
imi animi ab iis, qui  
Repub. regant, quod  
eorum administratio la-  
tissimè pateat, ad plu-  
rimosque pertineat.

Esse autem magni a-  
nimi, & fuisse mul-  
to etiam in vita otio-  
sa, qui aut inuestigarēt,  
aut conarentur magna

Moreover in our highest pre-  
serte, wee must most of all  
take the aduise of our friends,  
and wee must give them also  
a greater authoritie, than  
wee dyd beefore, and in those  
seasons, wee must take heede,  
that wee open not our eares to  
flatterers, nor suffer our selues  
to bee clawed wpth flattery,  
wherein it is an easie thing to  
bee beeguilded.

For wee thinck our selues  
such, that of right we may be  
praysed, whereof dooce spring  
innumerable faults, whē man  
pufft vp with opinō be shame-  
fully scorned, and be wapt in  
foolish errours. But of these  
matters thus far wee treat.

This then is to bee taken  
thus, that the greatest deedes  
& of the greatest courage, bee  
done by them, which gouerne  
the common weale, because  
the 2<sup>d</sup> ministation reacheth  
fardest, and too most men  
appertayneth.

And that there bee, & haue  
beene many, euer in the quiet  
lyfe, of great courage, which  
eyther would try out, or  
take in hand certayne great  
enter:



enterprizes: and would keepe  
themselues within the bounds  
of theyr owne matters: or  
else, placed beetweene Philo-  
sophers, and those that rule  
the common weale, would bee  
delyghted wth theyr home  
goods: not heaping vp the  
same, by all maner of meanes,  
nor barring theyrs from the  
vse thereof: but rather em-  
parting them both too theyr  
friend, and to the common  
weale, if at any tyme there  
should be neede. Which good,  
first lette it bee well gotten,  
and with no dishonest or hate-  
full gayne: next, lette it bee  
readye to dooe good, to ma-  
nye, so they bee worthy: last-  
ly, lette it bee encreased wth  
discreation, diligence, and  
thrift: and not lye open ra-  
ther to lust and ryot, than  
to liberalytte, and bountye-  
fullnesse. These foresaid lessones  
who so obserueth: may liue  
both honorably, grauely, and  
stoutly, and also playnely,  
safely, and friendly for  
the trade of mans lyfe.

It followes, that wee speak  
of the other part of honestye,

quedam, seseq; suarum  
rerum fluibus contine-  
rent: aut interiecti inter  
philosophos & eos qui  
Rempub. administra-  
rent, delectarentur re-  
sua familiari: non eam  
quidem omni ratione  
exaggerantes, neque  
excludentes ab eius v-  
su suos, potiusque &  
amicis impertientes, &  
Reipub. si quando v-  
sus asset. Quæ primùm  
bene parta sit, nullo ne-  
que turpi quæstu neque  
odioso, tum quam plu-  
rimis (modo dignis) se  
vtilem præbeat, deinde  
augeatur ratione, dili-  
gentia, parsimonia: nec  
libidini potius, luxuriæ-  
que, quam liberalitati,  
& beneficentiæ pate-  
at.

Hæc præscripta seruan-  
tem licet magnificè, gra-  
uiter, animosèque viue-  
re: atque etiam sim-  
pliciter, fideliter vitæ-  
que hominum amicè. Se-  
quitur vt de vna reliqua  
pte honestatis discèdū sit:

## de Officijs.

in qua verecundia, & quasi quidam ornatus vitæ, temperantia & modestia, omnis quæ sedatio perturbationum animi, et rerum modus cernitur.

Hoc loco continetur id, quod dici latinè decorum potest: græcè enim *εὐπρέπεια* dicitur. Huius vis est, vt ab honesto non queat superari. Nam & quod decet honestum est & quod honestum est, decet.

Qualis autem differentia sit honesti, & decori, facilius intelligi, quàm explanari potest.

Quicquid enim est, quod deceat, id tum apparet, cum antegressa est honestas.

Itaque non solum in hac parte honestatis, de qua hoc loco differendum est, sed etiam in tribus superiorib<sup>9</sup>, quid deceat, apparet. Nam & ratione vti, atque oratione prudenter,

which remaineth, wherein shamesfastnesse, and temperance, as it weree the certayne ornament of mans lyfe, and sober moode, and all appeasement of passions of the mynde, and the measure of things is seene.

In this place also comelynesse is containned, the which may be named Decorum in latine, for in Greeke it is called *εὐπρέπεια*. The nature heereof is such, that from honesty it cannot bee sundred.

For both what becommeth is honest and also what is honest, becommeth. But what difference there is betweene honestye and comelynesse, it may sooner be conceiued then expessed.

For whatsoever it is, that becommeth, it then appeareth, when honestye is gone beefore. And therefore not onely in this part of honestye, whereof in this place wee haue to dispute, but also in the three former parts it doth appeare what becommeth. For as it becommeth one to v<sup>s</sup>e reason, and speach discretely,

to dooe that hee should dooe ,  
aduisedly : to espye and main-  
tayne whatsoeuer is in eue-  
ry thing the troth : so contra-  
ritwise to bee beguiled, to erre,  
to fall , to bee deceiued , as  
much it misbeecommeth : as  
to dote, and bee distraught in  
minde .

Thereto all iust things bee  
comely : all vniust things a-  
gain as they bee dishonest, so  
are they vncomely . Lyke is  
the nature of manlynesse. For  
what so is done manfully, and  
wth a great courage, that  
doth seeme meete for a man,  
and comely , what so goeth  
contrary : that as it is disho-  
nest, euen so it is vncomely .  
Wherefore this comelynesse  
whereof I speake, doth per-  
tayne to all honestye indeed :  
and so pertayns, that not af-  
ter a certaine hidden sort it is  
seene, but stāds in open sight.  
For a certaine thing there is  
that beecommeth, and y<sup>e</sup> same  
is perceiued in every vertue :  
which moze by imagination,  
then in deede, may bee seuered  
from vertue.

& agere quod agas con-  
sideratè : omniq; in re  
quid sit vere videre & tu-  
cri decet : contraq; falli,  
errare, labi, decipi, tam  
dedecet, quàm delira-  
re, & mente captum es-  
se.

Et iusta omnia deco-  
ra sunt : iniusta contra,  
vt turpia, sic indecora. Si-  
milis est ratio fortitudi-  
nis. Quod enim viriliter  
animoque magno fit,  
id dignum viro & de-  
corum videtur, quod  
contra, id vt turpe, sic  
indecorum. Quare per-  
tinet quidem ad om-  
nem honestatem hoc,  
quod dico decorum &  
ita pertinent, vt non re-  
cōdita quadam ratione  
cernatur, sed sit in  
promptu . Est enim  
quiddam, ( idque in-  
telligitur in omni vir-  
tute ) quod deceat : qd'  
cogitatione magis a vir-  
tute potest, quàm re se-  
parari.

F.ij.

Et



## de officijs.

Et vt venustas, & pulchritudo corporis scer-  
ni non potest a valetu-  
dine : sic hoc, de quo  
liquimur, decorum, to-  
tum illud est quidem  
cum virtute confusum,  
sed mente & cogitatio-  
ne distinguitur. Est au-  
tem eius descriptio du-  
plex, nam & generale  
quoddam decorum in-  
telligimus, quod in om-  
ni honestate versatur, &  
aliud huic subiectum,  
quod pertinet ad singu-  
las partes honestatis. At-  
que illud superius, sic fe-  
rè definiri solet : Deco-  
rum id esse, quod con-  
sentaneum sit hominis  
excellentię in eo, in quo  
natura eius a reliquis a-  
nimantibus differat.

Quę autem pars subie-  
cta generi est, eam sic  
definiunt, vt id decorum  
esse velint, quod ita na-  
turę consentaneum sit,  
vt in eo moderatio &  
temperantia appareat,  
cum specie quadam li-

For as goodnesse and beau-  
tie of body cannot bee parted  
from health, so this comely-  
nesse, whereof wee treat, is  
altogether blended with ver-  
tue, but yet in ones minde and  
thought, it may bee deuided.  
But the description thereof  
is on two sorts. For both wee  
conceiue a generall comely-  
nesse to bee, which in all ho-  
nestye hath to dooe, and ano-  
ther speciall comeliness vnder  
this, which belongeth to eue-  
ry perticular part of hone-  
stie. And the former thus in  
a manner is woont to bee de-  
fined, that it is comely, which  
is agreeable to mannes excel-  
lencie, in that, wherein his na-  
ture is different from other  
liuing creatures. But they  
define the part, which is  
vnder the generall, in such  
wise, that yet they will haue it  
to bee counted comely, which  
is so to nature agreeable, as  
it may appeare both in measu-  
rabilenesse, and temperaunce,  
with a certayne honest shew.  
That these be thus meant, of  
the Philosophers, wee may  
gesse

geffe by þe comelynesse, which the Poets follow, whereof in another place wee are wont to say more. But then, wee say, the Poets keepe that grace, which becommeth: when it that to each person is fitting, both is done and said: as if either Eacus or Minos should say.

Well let them hate, a while they stand in feare: or this,

His childrens graue the parent selfe now is.

Uncomely it should seeme because wee haue heard, that they were iust men. But Atreus saying so, it is lyked of the hearers, because the speech is fitte for the person.

But Poets will iudge by the person what is comely for every body: howbeit nature hir selfe hath put vpon vs a personage of great excellency, and preheminence aboue all other liuing creatures. Wherefore Poets in the great diuersity of persons, will espye what is fit, euen for the wicked sort, and what becommeth them.

berali. Hæc ita intelligi à philosophis, existimare possum⁹ ex eo decoro, q̃ Poetę sequuntur: de quo a lio loco plura dici solent. Sed tum seruare illud Poetas, quod deceat dicimus, cum id, quod quaq; persona dignum est, & fit & dicitur, vt si Aeacus aut Minos diceret, Oderint dum metuant, aut, Natis sepulchrum ipse est parens: indecorum videretur, q̃ eos fuisse iustos accepimus. At Atreo dicente plausus excitantur, est enim digna persona oratio. Sed Poetę quid quemque deceat, ex persona iudicabunt. Nobis autem personam imposuit ipsa Natura magna cum excellentia, præstantiaque animantium reliquorum.

Quo circa Poetę in magna varietate personarum, etiam vitiosis quid conueniat & quid deceat, videbunt.

F.iii.

Nobis

## de Officijs.

Nobis autem cum natura constantiae, moderationis, temperantiae, verecundiae partes datae sint, cumque eadem natura doceat non negligere quemadmodum nos aduersus homines geramus, efficitur, ut & illud quod ad omnem honestatem pertinet, decorum quam late fufum fit, appareat: & hoc quod spectatur, in vno quoque genere virtutis. Ut enim pulchritudo corporis, apta compositione membrorum mouet oculos, & delectat hoc ipso, quod inter se omnes partes quodam lepore consentiunt: sic hoc decorum, quod clucet in vita, mouet approbationem eorum, quibus cum viuitur ordine, & constantia, & moderatione dictorum omnium atque factorum. Adhibenda est igitur quadam reuerentia aduersus homines & optimi cuiusque, & reliquorum.

But seeing the parts of steadfastnesse, measurablenesse, temperaunce, and shamesfastnesse, bee appointed vs by nature, and seeing the same nature teacheth vs, not to bee retchlesse, after what sort wee bechaue our selues to euery man: it comes to passe, that boeth it appeareth, how farre the comelynesse which appertaynes to all honesty, doth reach, & this also, which is marked in euery kynde of vertue. For as the beautifullnesse of the body with proportionable making of the limmes mooueth a mans eies and delighteth them euen with this, that all the parts with a certaine grace agree together: right so this comelynesse that shineith abroade in our lyfe, winneth theyr lyking wyth whom wee liue by an order, steadfastnesse, and measurablenesse in all our woordes and deedes. There must bee vsed therefore a certayne reuerence towarde men, both to euerie one of the best sort, and also to the rest of meaner degree.



For it is not onely a signe of an arrogant body, but also of one altogether lawlesse, to bee retchlesse, what euery man thinketh of him.

But there is a difference betweene iustice and shamefastnesse, in euery respect that is to bee had. It is the part of iustyce, to offer men no violence: of shamefastnesse, to offend no body: wherein the nature of comelynesse is most thoroughly seene. These things then declared, I thinck it sufficiently conceiued, what thing that is, which wee say becometh. But the duetie that proceedeth of comelynesse, chieflie taketh his waye, which leadeth to the agreeablenesse, and preservation of nature, whom if wee will follow as guide, wee shall neuer goe amisse, and shall follow both that which hath in it wisdomnesse, and through sight by nature, and that which is agreeable for the fellowship of men, & that which is earnest, and manly. But the greatest effect of comelynesse standeth in this part of vertue,

Nam negligere quid de se quisque sentiat, non solum arrogantis est, sed etiam omnino dissoluti.

Est autem quod differat in omni ratione habenda, inter iustitiam & verecundiam. Iustitię partes sunt, non violare homines: verecundię, nō offendere, in quo maximē perspicitur vis decori. His igitur expositis quale sit id, qd' decere dicimus, intellectum puto. Officium autem qd' ab eo ducitur, hanc primū habet viam, quę deducit ad conuenientiam, conseruationemque naturę, quam si sequemur ducem, nunquam aberrabimus, sequemurque & id, quod acutum & perspicax natura est, & id, quod ad hominū conseruationem accommodatum est, & id quod vehemens atque forte.

Sed maxima vis decori in hac inest parte,  
F.iiij. de

## de Officijs.

de qua disputamus. Ne-  
que enim solum corpo-  
ris qui ad naturam apti  
sunt, sed multo etiam  
magis animi motus pro-  
bandi, qui item ad natu-  
ram accommodati sunt.  
Duplex est enim vis ani-  
morum, atque naturæ.

Vna pars in appetitu po-  
sita est, quæ est *opponit* græ-  
cè, quæ hominem huc  
& illuc rapit. Altera in  
ratione, quæ docet & ex-  
planat, quid faciendum  
fugiendumue sit. Ita fit  
ut ratio prælit, appeti-  
tus obtemperet. Omnis  
autem actio vacare debet  
temeritate & negligen-  
tia. Nec vero agere quic-  
quam, cuius non possit  
causam probabilem red-  
dere. Hæc est enim fere  
descriptio officii. Effici-  
endum autem est, ut ap-  
petitus rationi obediant:  
eamque neque præcur-  
rant propter temerita-  
tem, nec propter pigri-  
tiam aut ignauiam dese-  
rant: sintque tranquilli

whereof wee now treat. For  
not onely the mouings of the  
body, which agree to nature,  
are to bee allowed: but much  
more the motions of y<sup>e</sup> minde,  
that lykewise bee agreeable  
to nature, are to bee commen-  
ded.

For the power of the minde  
and of nature stands in two  
parts. The one is placed  
in appetite, which in Greeke  
is *opponit*, and this hether and  
thether haleth a man: that  
other hath place in reason:  
which teacheth and sheweth  
plainely what is to bee done,  
and what to bee refused. So  
falleth it that reason ruleth,  
and appetite obeyeth. But  
all our doings must be with-  
out rashnesse, and negligence:  
neither ought a man to dooe  
anye thing, whereof hee is  
not able to render a prooua-  
ble cause. For this in a man-  
ner is the definition of duetie.  
But wee must bring to passe  
that our appetites obeye rea-  
son: and neither run beefore  
it, neither for slouth, or dast-  
ardynesse, drag behinde it: &  
that

that they bee quiet and voyde  
of all stur, & trouble of mind,  
whereby all steadfastnesse and  
measurablenesse shall appeare  
in sight. For appetites which  
goe ouer farre astray, and (as  
it were) ouer hot, eyther in  
longing after things, or fly-  
ing from things, bee not stay-  
ed inough by reason: these  
without doubt exceede theyr  
boundes and measure. For  
they forsake & set aside obedy-  
ence: nor yet do yeeld to reason  
wherebunto they bee made sub-  
iect by the law of nature. But  
with such motions, not onely  
mennes mindes be troubled,  
but also their bodies, wee may  
see in the very face of the  
angry: or of them, who ey-  
ther with any lust, or wyth  
feare bee sturred, or in ouer-  
much pleasure doe reioyce: for  
therewith the countenaunce,  
voyce, mouing, and resting of  
them all is chaunged. Of  
which things this is gathe-  
red (to the intent we may re-  
tourne to the forme of due-  
tie) that all appetites are to  
bee pulled in and asswaged:

atque omnia animi per-  
turbatione careant, ex  
quo elucebit omnis con-  
stantia, omnisque mo-  
deratio. Nam qui appe-  
titus longius euagantur  
& tanquam exultantes  
sive cupiendo, sive fu-  
giendo, non satis a ra-  
tione retinentur, hi sine  
dubio finem & modum  
transcunt. Relinquunt  
enim & abiiciunt obe-  
dientiam, nec rationi  
parent, cui sunt subiecti  
lege nature. A quibus,  
non modo animi per-  
turbantur sed etiam cor-  
pora. Licet ora ipsa cer-  
nere iratorum, aut eo-  
rum, qui aut libidine  
aliqua, aut metu com-  
moti sunt, aut volup-  
tate nimia gestiunt: quo-  
rum omnium vultus, vo-  
ces, motus, statusque  
mutantur. Ex quibus il-  
lud intelligitur (ve ad  
officii formam reuertra-  
mur) appetitus omnes  
contrahendos, sedan-  
dosque esse: excitand-  
damq;



## de Officijs.

clāq; esse animaduersionē  
& diligentiam, vt nequid  
temerē, ac fortuito, in-  
consideratē, negligē-  
terque agamus. Neque  
enim ita generati à natu-  
ra sumus, vt ad ludum  
& iocum facti esse vide-  
amur, sed ad seueritatem  
potius, & ad quēdam  
studia grauiora, atque  
maiora. Ludo autem &  
ioco, vti illis quidē licet  
sed sicut somno, & qui-  
etibus ceteris, tum cum  
grauius scrijsque rebus  
satis fecerimus. Ipsum-  
que genus iocandi non  
profusum, nec immo-  
destum, sed ingenuum  
& facetum esse debet. Vt  
enim pueris non omnē li-  
cētia ludēdi dam⁹, sed cā-  
quæ ab honestatis actio-  
nibus nō sit aliena, sic in  
ipso ioco, aliqd' pbi in-  
genij lūmē eluceat. Du-  
plex omnino est iocan-  
di genus, vnū illiberale,  
petulans, flagitiosum,  
obscœnum, alterum ele-  
gans, vrbānum, ingeniosū  
tacetum, quo genere,

and that wee must take good  
heede and dilligence, that wee  
doe nothing rashly and ven-  
turously, nor vnadvisedly,  
and negligently. For wee bee  
not to this end ingendered of  
nature, that wee should seeme  
to bee created for play, and  
iell, but wee bee rather bozne  
to sageuesse, & to certayne gra-  
uer and greater studies. Yet  
wee may lawfully vse iesting  
and pastime, but euen as wee  
doe sleepe, and other restinges,  
at such time as wee haue suffi-  
ciently ended graue and ear-  
nest causes. And the verie  
manner of our iesting must not  
be to large, nor vnsober, but  
honest, and pleasant. For as  
wee giue not children all man-  
ner lybertye of playing, but  
such as swarueeth not from  
honest exercises: so in our ve-  
rie iesting, let there appeare  
some light of honest wit. To  
bee short, after two sorts is  
the manner of iesting: the  
one vn honest, railing, hurt-  
full, bawdy: the other,  
fine, ciuill, witty, pleasant.

With the which kinde,  
not onely our Plautus,  
and

and the olde Comedie of the  
Attikes, but also the bookes  
of Socraticall Philosophers  
bee well storied: and there bee  
of many men manie merreye  
sayde sawes, as those that of  
olde Cato bee gathered, which  
bee called *ἁποθρηνητα* Caste  
therefore is the difference bee-  
tweene honest and dishonest  
jesting. The one is meete  
for an honest man, if it bee  
doone in season, and wth a  
lyght heart: the other meete  
for no man, if the uncleannesse  
of the matter bee increased  
wth filthinesse of words.

Also in pastime, there is a  
certayne measure to bee kept,  
that wee bee not therein al-  
together excessiue, and puffed  
vp wth pleasure, fall into  
some dishonestye. But both  
our martiall field, and also  
our exercises of hunting, dooe  
finde vs honest examples of  
pastime.

But it belongs to the  
whole discourse of duetye, e-  
uermore to haue in minde,  
how farre mannes nature  
exceedeth the nature of  
beasts.

non modo Plaut<sup>9</sup> noster  
& Atticorum antiqua  
comædia, sed etiam Phi-  
losophorum Socratico-  
rum libri referti sunt,  
multaque multorum fa-  
cetè dicta, vt ea quæ à  
sene Catone sunt colle-  
cta, quæ vocantur *ἁπο-  
θρηνητα*. Facilis igitur est  
distinctio ingenui & illi-  
beralis ioci. Alter est, si  
tempore fit, ac remisso  
animo, homine libero  
dignus. Alter ne homi-  
ne quidem, si rerum tur-  
pitudini adhibetur ver-  
borum obscœnitas.

Ludendi etiam, est  
quidam modus retinen-  
dus, vt ne nimis omnia  
profundamus, elatique  
voluptate in aliquam  
turpitudinem dilabamur.  
Suppeditant autem & cā-  
pus noster, & studia ve-  
nandi, honesta exempla  
ludendi. Sed pertinet ad  
omnem officij quæstio-  
nem, semper in p̄mptu ha-  
bere, quantum natura  
hominis pecudibus, reli-  
quisq; bestiis antecedit.

Ille

## de Officijs.

\* Illæ enim nihil senti-  
ant nisi voluptatem, ad  
camque feruntur omni  
impetu. Hominis autem  
mens discendo alitur, &  
cogitando semper ali-  
quid aut inquirat, aut a-  
git: videndiq; & audi-  
endi delectatione duci-  
tur. Quin etiam si quis  
est paulo ad voluptates  
propensior: modo ne sit  
ex pecudum genere (sunt  
enim quidam homines  
non re sed nomine) sed si  
quis est paulo erectior,  
quamvis voluptate ca-  
piatur, occultat & dissi-  
mulat appetitum vo-  
luptatis, propter vere-  
cundiam. Ex quo intel-  
ligitur corporis volupta-  
tem, non satis esse dig-  
nam hominis præstan-  
tia, eamque contemni  
& reici oportere. Sin  
sit quispiam qui ali-  
quid tribuat voluptati,  
diligenter ei tenendum  
esse eius fruendæ mo-  
dum.

Itaque victus, eul-

For they feele nothing but  
pleasure, and thereunto bee  
carried to their whole swaye:  
but mannes wit is fed with  
learning: and by studying ex-  
ther sercheth, or doth alwayes  
somewhat: and is ledde with  
the delight of seeing and hea-  
ring: yea, mozeouer, if ther be  
any somewhat with the most  
enclined to pleasures: so hee  
bee not of the beastly kynde:  
(for some there bee, not men  
in deede, but in name) but if  
there bee aupe man that is  
somewhat moze greedely min-  
ded, though wth pleasure hee  
bee caught, hee hideth and dis-  
sembleth his appetite of plea-  
sure for very shamesfastnesse.  
Whereof it is soone percey-  
ued, the pleasure of the bo-  
dy is not worthy to bee mat-  
ched with the excellencie of  
man, and that it ought to bee  
despyed and reiected. But if  
there be any man, who some-  
deale yeeldeth vnto pleasure,  
hee must verie warily keepe  
a measure, in enioying the  
same.

And therefore let the feeding,

and





and apparelling of the body  
bee referred to health and  
strength. not to voluptuous-  
nesse. And thereto if wee will  
consider what an excellence,  
and a dignitie there is in na-  
ture, wee shall vnderstande  
how fowle it is to ouerflow  
in ryot, and liue diliciouslye  
and wantonly, and how honest  
it is to leade our life sauing-  
ly, chastly, sagely, and sober-  
ly.

Wee must vnderstand also  
that wee bee cladde by nature  
(as it were) with two per-  
sons, whereof the one is com-  
mon, because wee all be perta-  
chers of reason, and the prehe-  
minence, whereby wee sur-  
mount beasts, from which rea-  
son, all honesty and comely-  
nesse is deriued, & out of the  
which, the way of finding due-  
tie is sought, the other is that  
which properly to each man  
is assigned.

For as in bodies there bee  
great difference, (for some  
wee see passe other in swift-  
nesse to runne,) some in  
strength to wastle, and like

tusque corporis ad vale-  
tudinem referantur, &  
ad vires, non ad volupta-  
tem. Atq; etiam si consi-  
derare volumus, quę sit  
in natura hominis ex-  
cellentia, & dignitas, in-  
telligemus quā sit tur-  
pe diffluere luxuria, &  
delicatē ac molliter vi-  
uere: quamq; honestum,  
parcē, continenter, seue-  
re, sobrieq;.

Intelligendum etiam  
est duabus quasi nos à  
natura indutos esse per-  
sonis. Quarum vna est  
communis, ex eo quod  
omnes particeps sumus  
rationis, præstantięq;  
eius, qua antecellimus  
bestijs, à qua omne ho-  
nestum decorumq; trahi-  
tur, & ex qua ratio inue-  
niendi officij exquiritur.  
Altera autem, quę pprie  
singulis est attributa. Ve-  
nim in corporib; mag-  
nē dissimilitudines sunt,  
(alios enim videmus ve-  
locitate ad cursum, alios  
viribus ad luctādū valere  
itemq;

## de Officijs.

itemque in formis alijs dignitatem inesse, in alijs venustatem) sic in animis existunt etiam, maiores varietates. Erat in Lucio Crasso, & in Lucio Philippo multus lepos: maior etiam, magisque de industria, in Caio Casare Lucij filio. At iisdem temporibus in Marco Scauro, & in Marco Drusio adulescente singularis severitas: in Caio Laelio multa hilaritas: in eius familiari, Scipione, ambitio maior, vita tristior.

De Græcis autem, dulcem & facetum, festiuique sermonis atque in omni oratione simulatorem, quem *negora* græci nominauerunt Socratem accepimus. Contra, Pythagoram & Periclem summam auctoritatem consequutos sine vlla hilaritate. Callidum Hannibalem ex Poenorum: ex nostris ducibus, Q. Maximum accepimus, facile calare, tacere, dissimulare,

wise in faces, some haue a portly looke, some an amiablenesse, so also in mindes, there bee farre greater diuersities.

There was in Lucius Crassus, and Lucius Philippus much pleasantnesse: but greater and more of set purpose in Caius Cesar, Lucius forme.

And at those daies in Marcus Scaurus, and in Marcus Drusus the young man, there was a singular grauitie: in Caius Lelius, much mirth: in Scipio his familiar, both greater honour seeking, and a sadder lyfe.

But of the Grecians, Socrates, wee haue heard, was pleasant, and feat conceited, a merrie talker, and in al his words a mocker, whom the Greekes named *negora* contrarywise Pythagoras and Pericles attayned very hegh authoritie, without any mirth at all. Of the Penes, Anniball was craftie: of our capitaines Quintus Maximus, wee haue herd say, he had a meruailous cunning in cloaking, in keeping in, in dissimbling, in making

king a state, in preventing the  
 causes of the enemie.

In which kinde, the Greekes  
 before all other dooe prefer  
 Themistocles the Athenian,  
 and Jason the Pharaian.

And chiefly the subtile and  
 crafty deepe of Solon, who  
 that both his lyfe should bee  
 the safer, and somewhat the  
 more hee might furder the com-  
 mon weale, fained himselfe  
 to bee madde.

There bee  
 other farre vnlke to these,  
 playne and open, which dooe  
 thincke nothing in secret, no-  
 thing with guile meete to bee  
 wrought, and bee louers of  
 trouth, and enimies to dis-  
 cepte.

And agayne, there bee  
 other, who would any thing  
 endure and doe seruice to any  
 man, so they might obtayne  
 that they desire, as wee did see  
 Silla, and Marcus Crassus vse  
 themselves.

Of which sort,  
 wee haue heard Lysander the  
 Lacedemonian was the sub-  
 tlest and could most abide.

And contrarywise, of Calli-  
 cratides, who was Admirall  
 of the nauie, next after Lysan-  
 der.

insidiari, pręperę hosti-  
 um consilia. In quo ge-  
 nere Gręci Themisto-  
 clem Atheniensem, &  
 Phæreum Iasonem ca-  
 teris anteponunt. In pri-  
 misque versutum & ca-  
 lidum factum Solo-  
 nis : qui quod tutior vi-  
 ta eius esset, & plus a-  
 liquanto Reip. prodesset,  
 furere se simulauit.

Sunt his alij multum  
 dispares, simplices &  
 aperti, qui nihil exoc-  
 culto, nihil ex insidijs a-  
 gendum putant, verita-  
 tis cultores, fraudis ini-  
 mici.

Itemque alij, qui  
 quiduis perpetiantur,  
 cuius deseruiant, dum  
 quod velint, consequan-  
 tur: vt Syllam, & M.  
 Crassum videbamus.

Quo in genere versu-  
 tissimum & patientissi-  
 mum Lacedemonium  
 Lysandrum accepimus:  
 contraque Callicrati-  
 dem, qui perfectus  
 classis proximus post Ly-  
 sandrum fuit.

And

Itemq;



## de Officijs.

Itemq; in sermonibus alium quidem videmus, quamuis prepotens sit, efficere, vt vnus de multis esse videatur quod in Catulo & in patre & in filio, itemque & in Q. Mutio Mancino vidimus. Audiui ex maioribus natu hoc quidem fuisse in P. Scipione Nasica: contraque patrem eius, illum qui Tiberij Gracchi conatus perditos vindicauit, nullam comitatem habuisse sermonis, nec Xenocratem quidem seuerissimum philosophorum: ob eamque rem ipsam & magnum & clarum fuisse. Innumerabiles alie dissimilitudines sunt nature morumque minime tamen vituperandorum. Admodum autem tuta sunt sua cuique non vitiosa, sed tamen propria, quo facilius decorum illud, quod quarimus retineatur.

Sic enim est faciendum, vt contra natu-

And likewise wee see an other manne in talke, though hee bee of great authoritie, so order the matter, that hee seemes one of the common sort. Which in Catulus, both the father and the sonne and the same in Quintus, Mutius Mancinus, we haue seene. I haue heard more ouer of myne elders, the same too haue beene in Publius Scipio Nasica. And contrariwise, his father, even him that auenged Tiberius Gracchus wicked enterprises, to haue had no gentle grace of speech.

So nor Xenocrates, who was the sagest of the Philosophers, and for the selfe same thing beecame great, and famous. Innumerable other dyuersities there bee of nature and of manners, no deale yet dispraysable. But euery mans owne giftes, not such as bee faulty, but naturall are earnestly to bee maintained, where by the soner maye the comelinesse bee kept which wee dooe seeke. For in such wylle wee must worke, as agaynst all

all nature wee neuer strue: which thing auoyded, lette vs fellow our owne proper nature. So that though there bee other studies grauer, and better, yet lette vs measure our owne, by natures rule.

For neither it is to any purpose to fight against nature, nor to ensue any thing that yee cannot attayne.

Wherupon it more appears what manner of thing this comeliness is: because nothing becommeth, Mawger minerua, as they say, that is, nature withstanding, and resisting it. In brieft, if ought bee comelye, of trouh there is nothing more seemely, than an euennesse in all mans lyfe, and euery of his dooings: which you cannot keepe, if you counterfayte anothers nature, and lette passe your owne. For as wee ought to vse that speech, which is known to vs, least as some menne chopping in Greeke words, wee bee worthele mockt at: so in our dooings and all our lyfe, wee ought to shew no contrarietie.

ram vniuersam nihil contendamus. Ea tamen conseruata propriam naturam sequamur, vt etiam si sint alia grauiora, atq; meliora, tamen nos studia nostra naturæ regula metiamur. Neque enim naturæ attinet repugnare, nec quicquam sequi, quod assequi nequeas. Ex quo magis emergit, quale sit de eorum illud, ideo quia nihil decet inuita (vt aiunt) Minerva, id est aduersante & repugnante natura. Omphino si quicquam est decorum, nihil est profectò magis quam æquabilitas vniuersæ vitæ, tum singularum actionum, quam conseruare non possis, si aliorum naturam imiteris, omittas tuam. Vt enim sermone eo debemus vti, qui notus est nobis, ne (vt quidam) græca verba inculcantes, iure optimo irrideamur, sic in actiones omnemq; vitam nullam discrepantiâ

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conferre debemus.

Atque hæc differentia naturarum tantam habet vim, ut nonnunquam mortem sibi ipse consciscere alius debeat, alius in eadem causa non debeat. Non enim alia in causa M. Cato fuit, alia ceteri, qui se in Africa Cæsari tradiderunt. Atqui ceteris forsitan, vitio datum esset, si se interemissent, propterea quod lenior eorum vita, & mores fuerunt faciliores: Catoni autem cum incredibilem tribuisset natura gravitatem, eamque ipse perpetua constantia roborauisset, semperque in proposito, susceptoque consilio permansisset, moriendum potius quam tyranni vultus aspiciendus fuit. Quam multa passus est Vlysses in illo errore diuturno, cum & mulieribus (si Circe & Calipso mulieres appellandæ sunt) inseruiret, & in omni sermone omnibus affabile et iucundum se esset vellet:

And this difference of nature hath so great a power, that other while some one manne ought to kill himselfe, some other in the same quarell ought not. For Marcus Cato was not in one quarell, and the rest in another, who peelded themselves unto Cæsar in Africa. Yet to the rest perchance it should haue been compted a reproch, if they had slaine themselves: beecaue their lyfe had bene daintier, and theyr manners milder: but when nature had geueen Cato an vncredeble grauitie, and the same hee had strengthened with a continuall stedfastnesse: and alwaies had remayned in his intent, and determined purpose, it was meete for him rather to dye than to looke vpon the tyrants face.

How manye paynes susteyned Vlysses, in that long wandering? when both too women hee dyd seruiue (if Circe, and Calipo are to bee named women) and to all men in all his talke hee woulde bee fayre spoken:  
and



and also at home dydde beare  
the spight of the slaues, and  
nieces: that hee might once  
attaine to the thing, which  
hee desired. But Ajax with  
the courage, that he is repor-  
ted of, had rather die a thou-  
sand deathes, then to suffer  
those things of another man.  
Which diuersities when wee  
behold, it shall bee necessarie  
to weigh what each man hath  
of his owne: and to order  
those guises, and not to haue a  
minde to trie, how other mens  
graces would beecome him.

For that becommeth each  
man, which is most of all each  
mans owne. Let euerie man  
therefore know his owne dis-  
position: and lette him make  
himselſe a sharp iudge both  
of his vice and of his ver-  
tues: least plaiers may seeme  
to haue more discretion then  
wee. For they dooe chooſe  
not the best Enterludes, but  
the fittest for themſelues.

For who vpon their voices  
bee bolde, they take Epigo-  
nes, and Medea: who vpon  
gesture, dooe take Menalippa

domi vero etiam con-  
tumelias seruorum, an-  
cillarumque pertulit: vt  
ad id aliquando, quod  
cupiebat, perueniret.

At Ajax, quo animo tra-  
ditur, millies oppetere  
mortem, quam illa per-  
peti ab alio maluiſſet.

Quæ contemplantes ex-  
pendere oportebit, quid  
quiſq; habeat ſui, eaque  
moderari, nec velle ex-  
periri quàm ſe aliena de-  
ceant. Id enim quem-  
que deceet, quod eſt cu-  
iusque ſuum maximè.  
Suum igitur quiſque  
noſcat ingenium: a-  
cremque ſe & bono-  
rum & vitiorum ſuo-  
rum iudicem præbeat:  
ne ſcenici plus quam nos  
videantur habere pru-  
dentia.

Illi enim non opti-  
mas, ſed ſibi accommo-  
datiſſimas fabulas cli-  
gunt. Qui enim voce  
freti ſunt, Epigonos,  
Medeamque.

Qui geſtu Menalippa,  
G. ij. vel

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vel Clytemnestram. Sē-  
per Rutilius, quem ego  
memini, Antiopam: non  
sæpe Aescopus Aiace.  
Ergo histrio hoc videbit  
in scena, quod non vi-  
debit sapiens vir in vi-  
ta? Ad quas igitur res  
aptissimi erimus, in iis  
potissimum elaborabi-  
mus. Sin aliquando ne-  
cessitas nos ad ea detru-  
serit, quæ nostri ingenii  
non erunt, omnis adhi-  
benda erit cura, medita-  
tio, diligentia, vt ea si  
non decorè, at quàm mi-  
nime indecore facere  
possimus. Nec tam est  
enitendum, vt bona, quæ  
nobis data non sunt, se-  
quamur, quam vt vitia  
fugiamus. Ac duabus  
his personis, quas supra  
dixi, tertia adiungitur,  
quam casus aliquis vel  
tempus imponit. Quar-  
ta etiam, quam nobis-  
met ipsis iudicio nostro  
accommodabimus. Nam  
regna, imperia, nobilita-  
tes, honores, diuitiæ, o-  
pes, eaque quæ sunt his

and Clytemnestra: Euer-  
more Rutilius, whome I  
remember, tooke Antiopia:  
not often Escopus toke Aiar.  
Shall a plaier then see this in  
the stage, that a wise man shal  
not see in his life? Wee shall  
chiefly therefore labor in those  
things, whereunto wee shall  
bee most apt. But in case ne-  
cessitie shall driue vs sometime  
to those things which shall  
not bee for our disposition:  
all care, studie, and diligence,  
must bee employed: that if  
wee dooe them not comely,  
yet wyth as little vncomple-  
nesse as may bee, neyther  
ought wee so much to endea-  
uour our selues to follow the  
vertues which bee not given  
vs as to fly vices.

And vnto these two per-  
sons, which beefore I named,  
there is a third person ioy-  
ned: which some chauncet,  
or time casteth on vs. The  
fourth also is that which we  
shall fashon to our selues,  
after our owne mynde. for  
kingdomes, Emperres, nobi-  
litye, honour, riches, pow-  
er, and those, which bee com-  
tra

trarie to these, beeing placed in fortunes hand, bee ordered according to the times: but what persō we our selues list to beare, proceedeth of our owne free will. And therefore some to Philosophy, some to *h* ciuill law, some to eloquence dooe apply themselves: and for the vertues, some haue a more minde to excell in one, and some in another: and whose fathers or auncestours in any commendation haue beene notable: the most part of theys doe study in the same kinde of praise to excell: as Quintus Mutius Publius sonne, did in the ciuill law: Africanus, Paulus sonne in feats of armes. But diuers dooe adde some of theys owne vnto those payles, that they receiued of their fathers: as this same Africanus, with eloquence increased the heap of his martiall glory: which selfe same Timotheus, Conosus sonne, did also: who, when in payles of warre, to his father hee was not inferiour, yed ioyne to that commendation

contraria in casu sita temporibus gubernantur. Ipsi autem quam personam gerere velimus, à nostra voluntate proficiscitur. Itaque se alij ad philosophiam, alij ad ius ciuile, alij ad eloquentiam applicant: ipsarumq; virtutū in alia alius mauult excellere.

Quorum veropatres aut maiores in aliqua gloria pręstiterunt, studēt eorū pleriq; eodem in genere laudis excellere: vt Quintus Mutius Publij filius in iure ciuili: Pauli filius Africanus in re militari. Quidem autem ad eas laudes, quas à patribus acceperunt, addunt aliquam suam. Vt hic idem Africanus eloquentia cumulauit bellicam gloriam.

Quod idem fecit Timotheus Cononis filius, qui, cum belli laude non inferior fuisset quam pater, ad eam laudem doctrinæ & ingenij



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genij gloriam adiecit. Fit autem interdum, vt nonnulli omiffa imitatione maiorum, fuum quoddam institutum cōfequantur: maximeque in coplerumq; elaborant ij, qui magna fibi proponunt obscuris orti maioribus. Hæc igitur omnia cum quærimus quid deceat, complecti animo, & cogitatione debemus. Inprimis autē constituendum est, quos nos & quales esse velimus, & in quo genere vitæ, quæ deliberatio est omnium difficilissima. Incunte enim adolescentia, cui in est maxima imbecillitas consilij, tunc id sibi quisque genus ætatis degendæ constituit, quod maximè adamauit. Itaque antè implicaturaliquo certo genere, cursuque viuendi, quam potuit, quod optimum esset indicare. Nam quod Herculem Prodicus dicit, (vt est apud Xenophonticum)

dation the glorie of witt, and learning. But it so falleth now and then, that some letting goe the imitation of theyr ancestors, do follow a certaine trade of theyr owne: and therein for the most part they chiefly trauayle: who appoynt themselves great enterprises, beeing borne of scarce known parents. In our mind and thought, then wee must cast all those things, whē we serch to know, what becommeth. But first of all wee must determine whom and what manner men wee would haue our selues, and of what kinde of lyfe. Which aduifement is the hardest of all. For at the entering into the yeeres of discretion, when there is most slenderesse of counsell, every man doth appoynt himselfe the trade of leading his lyfe, which hee hath loued most of all: and so hee is entangled with some certaine kinde, and course of life, beefore hee was able to iudge, what should bee best. For whereas Prodicus sayth, that Hercules, (as is in Xenophon) as soon

as hee waxed whey bearded, which time is graunted of nature, to choose what way of li- uing each man will enter, wēt forth into desart, and there sit- ting, much, and a long while doubted with himselfe when hee beheld two waies, the one of pleasure, the other of ver- tue: whether of them it were better to enter: this might peradventure happen to Her- cules, that was borne of Ju- piter's seed: but not so to vs, who dooe follow those, that e- uerie one of vs list to folow, and bee allured to theyr stu- dies, and fashions. And for the most part, beeing traded with our parēts p̄cepts, wee incline to theyr guise & man- ner. Other bee carried after the iudgement of the multi- tude, and long after those things most, which to þ̄ grea- ter part seeme goodlyest. Ma- ny neuerthelesse, whether of a certayne lucke, or of a good- nesse of nature, or by the in- struction of theyr Parents, haue followed the right trade of lyfe.

primū pubesceret ( quod tempus à natura ad de- ligendum quam quisque viam viuendi sic ingres- surus, datum est, ) exisse in solitudinem, atque ibi sedentem diu secum, multumque dubitasse, cum duas cerneret vias, vnā voluptatis, alte- ram virtutis, vtrā in- gredi melius esset. Hoc Herculi Iouis satū adi- to potuit fortasse cōtin- gere, nobis non idem, qui imitamur quos cui- q; visum est atque ad e- orum studia institutaq; impellimus. Plerumque autem parentum prae- ceptis imbuti ad eorum consuetudinem, morem que deducimur. Alij multitudinis iudicio fe- runtur, quæque maiori parti pulcherrima viden- tur, ea maxime exoptant. Nonnulli tamē siue fœ- licitate quadam siue bo- nitate naturæ, siue pa- rentum disciplina rectam vitæ secuti sunt viam.

G. iiii.

Illud

## de Officijs.

Illud autem maximè rarum genus est eorum, qui aut eccellente ingenij magnitudine, aut præclara eruditione, atque doctrina, aut vtraq; re ornati, spacium etiam deliberandi habuerunt, què potissimum vitæ cursum sequi vellent, in qua deliberatione ad suam cuiusque naturam, consilium est omne reuocandum. Nam cum in omnibus quæ aguntur, ex eo modo quoquisq; natus est (vt supra dictum est) quid deceat exquirimus, tum in tota vita constituenda, multo est eius rei cura maior adhibenda, vt constara in vitæ perpetuitate possimus nobismet ipsis, nec in vilo officio claudicare. Ad hanc autem rationem, quoniam maximam vim natura habet, fortuna proximam, vtriusq; omnino ratio habenda est in deligendo genere vitæ, sed naturæ magis. Multo enim & firmior

But that kynde of men is seldome found: who after they bee eyther of excellent profoundnesse of wit, or of a famous learning and knowledge, or with both these adorned, haue got a tyme to take aduise ment, what race of lyfe they would the ratherest run: in y<sup>e</sup> which aduice, all a mans counsell is to bee applyed to each mannes proper nature.

For sithens in all things, that bee doone, out of the nature, wherewith euery man is borne (as beefore is sayd) wee search what becommeth: then, in poynting out the whole life, much more regard therof must bee had: that in the continuing of our life wee may agree with our selues, and neuer hault in anye due tie.

But to this choyce, seeing Nature hath the greatest power, and fortune the next: there must consideration bee had of them both alwayes, in chosing the kynde of ones lyfe: but of nature, more. For nature is much the surter and the stedfaster, so that fortune



fortune many times, as mortall hir selfe, seemeth with immortall nature to fight. Who so then will apply all the purpose of his lyfe according to the kynde of his nature not corrupted, let him kepe a stedfastnesse: for that becommeth most of all: except perchance hee shal perceiue that hee hath gone amisse, in choosing his kynde of life. Which if it befall (as it may befall) there must be made a chaunge of manners, and purposes.

That chaunge then if tyme shall further, wee shall the sooner and more conveniently bring to passe: if not, faire and softly, and by little and little it must be done: like as friendshippes which doe not delight vs, and are not well lyked, wise men do iudge more convenient, stitch after stitch to rippe, then sodainely to cut asunder. And when wee haue once chaunged our kinde of lyfe, wee must by all meanes take heed, that we be thought to haue done it vpon good aduise.

But forasmuch as a little

est & constantior, vt fortuna non nunquam tanquā ipsa mortalis cum immortalī natura pugnare videatur. Qui igitur ad naturæ suæ, non vitiosæ genus, consilium viuendi omne contulerit: is constantiam teneat. Id enim maximè decet, nisi forte se errasse intellexerit in deligendo genere vitæ. Quod si acciderit, (potest autem accidere) faciendā morum, institutorumque mutatio est. Eam mutationem si tempora adiuuabunt, facilius, commodiusque faciemus: sin minus, sensim erit, pedetentimque faciendā: vt amicitias, quæ minus delectent & minus probentur, magis decere censent sapientes, sensim dissuere, quam repente præcidere. Commutato autem genere vitæ, omni ratione curandum est, vt id bono consilio fecisse videamur.

Sed quoniam paulo  
G.v. ante

## de Officijs.

ante dictum est imitandos esse maiores, primum illud exceptum sit, ne vitia sint imitanda: deinde si natura non feret ut quedam imitari possint, ut superioris Africani filius, qui hunc Paulo Aemelio natum adoptauerat, propter infirmitatem valetudinis, non tam potuit patri similis esse, quam ille fuerat sui. Si igitur non poterit siue causas defendere, siue populum concionibus tenere, siue bella gerere: illa tamen prestare debet, quae erunt in ipsius potestate, iustitiam, fidem, liberalitatem, modestiam, temperantiam: quod minus ad eo id, quod desit, requiratur. Optima autem hereditas à patribus traditur liberis, omnique patrimonio prestantior gloria virtutis, rerumque gestarum: cui dedecori esse, nefas & vitium iudicandum est. Et quoniam officia non eadem

before it is sayd, that we must follow our ancestours: first, be this excepted, that their vices are not to bee followed: next, that we follow them not in some things that our nature will not beare, as the elder Africanus sonne, who adopted this our Paulus sonne, could not bee so lyke his father, beccause of sickly weakness, as the other was lyke his. In case therefore one bee not able either to plead causes, or to retayne the people with Orations, or to follow the wars: those things yet hee ought to perfoyme, which shall bee in his power, as iustice, faythfulnesse, liberality, sober moode, and temperance: to the intent the thing which hee lackes, may bee the lesse missed in him. Truly the best inheritance that fathers leaue to theyr childred, and more worth then all liueloode is the glozy of vertue, and worthy deeds, wherunto to bee a staine, it is to be accounted both vice and shame.

And beccause not alike duties are assigned to vnylyke ages:

ages : and some there bee for young men, and some for the elder sort : somewhat also wee haue to say of this diuersitie. It is therefore a young mans part to reuerence his elders, and of these to choose out the best and most commended : whose counsell and authoritie hee may leane vnto . For the vnskillfulnesse of tender yeeres, must by olde mennes experience bee ordered and gouerned.

And this age specially from lustes is to bee wayned : and to be brought vp in labour, & paines taking both of minde and body, that both in martyall and ciuill dueties, their diligence may appeare . Also when they will refresh theyr wits, and giue themselves to pastime, let them beeware of intemperance, and remember shamefastnesse, which shal bee done y<sup>e</sup> easier, if at such things also their elders will bee in presence.

But for olde men labours in of the bodie to bee diminished, and exercises of the mind seeme meete to bee increased :

disparibus ætatibus tribuuntur, alia quæ sunt iuuenum, alia seniorum, aliquid etiam de hac distinctione dicendum est.

Est igitur adolescentis, maiores natu reuereri, ex ijsque eligere optimos & probatissimos : quorum consilio atque authoritate nitatur. Incun-  
 untis enim ætatis inscirtia, senum constituenda & regenda prudentia est. Maxime autem hæc ætas à libidinibus arcenda est, exercendaq; in labore, patientiaq; & animi & corporis, vt eorum, & in bellicis & ciuilibus officijs vigeat industria. Atq; etiam cum relaxare animos et dare se iucunditati volent, caueant intemperantiam, meminerint verecundiæ, qd  
 erit facilius, si in eiusmodi quoq; rebus maiores natu interesse velint.

Senibus autem labores corporis minuendi, exercitationis animi etiam augendæ videntur.

Danda



## de Officijs.

Danda vero opera, vt & amicos & inuentutem & maxime Rempub. consilio et prudentia quam plurimum adiuuent: Nihil autem magis cauendum est senectuti quam ne languori se, desidiaeque dedat. Luxuria vero cum omni ætati turpis, tum senectuti foedissima est. Sin autem libidinum etiam intemperantia accesserit, duplex malum est: quod & ipsa senectus concipit dedecus, & facit adulescentum impudentiorem intemperantiam. Ac ne illud quidem alienum est, de magistratuum, depriuatorum, de ciuium, de peregrinorum officijs dicere. Est igitur proprium munus magistratus intelligere: se gerere personam ciuitatis, debereque eius dignitatem & decus sustinere: seruare leges, iura describere, & ea fidei suae commissa meminisse.

and they must giue their diligence, that much they ayde their friends and youth, and specialllye the common weale wth counsell and wisdom. But nothing moze of age is to be taken heede of, then that it giue not it selfe to lythernesse and idlenesse. As for yot, to euerpe age it is teprochfull: and for olde age most shamefull. But if the intemperance of lust bee iorned wth it, there is a double inconuenience, because both age it selfe taketh shame by it, and it causeth young mens intemperance to be moze shamelesse. And this truelye is not out of the matter, to speake somewhat touching the dueties of Magistrates, of priuate men, of citizens, and of strangers. It is therefore the proper office of a Magistrate, to consider, hee represents the person of the Citie: and that hee ought to maintayne the honour and reputation thereof, and to keepe the orders of the same, & to set out lawes fit therefore, and to remember, they bee committed to

to his charge.

A private man it behoues to liue in an equalitie, & likeness of law with the Citizens: neyther as an vnderling and abiect, nor bearing himselfe to high: and also in the common weale to seeke those things that be quiet and honest. For such a one wee are wont both to call & count a good Citizen.

But it is the duety of a straunger and alien inhabitant, to meddle with nothing beside his owne businesse: nor to inquire any thing touching another man: and no whit in a straunge common weale to bee curious.

Thus for the most part, duties shall be found out: whē it shall bee sought what becommeth, and what is agreeable for persons, times, and ages. And there is nothing, that becomes a man so much, as in euery doing & taking of aduise to keepe a stedfastnes. But because the same comeliness appeareth in all deedes and wordes, and in p̄ mouing

Priuatum autem oportet æquo & pari cum ciuibus iure viuere, neque summum & abiectum, neque sefferentem, tum in Republica cavelle, quæ tranquilla & honesta sunt. Talem enim & sentire bonum ciuem & dicere solemus.

Peregrini autem & incolæ officium est, nihil præter suum negotium agere, nihil de alieno inquirere, minimeq; in aliena esse Republica curiosum.

Ita ferè officia reperientur, cum quaeritur quid deceat, & quid aptum sit personis, temporibus, ætatibus. Nihil est autem quod tam deceat, quam in omni re gerenda, consilioque capiendo seruare constantiam.

Sed quoniam decorum illud in omnibus factis et dictis, in corporis denique motu,

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& statu cernitur : idē; positum est in tribus rebus, formositate, ordine, ornatu ad actionem apto, difficilius ad eloquendum, sed satis erit intelligi. In his autem tribus continetur cura etiam illa, ut probemur ijs, quibuscū & apud quos viuamus. His quoque de rebus pauca dicantur.

Principio, corporis nostri magnam natura ipsa videtur habuisse rationem, quæ formam nostram reliquamq; figuram, in qua esset species honesta, tam posuit in promptu : quæ autem partes corporis ad naturæ necessitatem datæ aspectum essent deformem habituræ atque turpem, eas contexuit atque abdidit: Hanc naturæ tam diligentem fabricam imitata est hominū verecundia. Quæ enim natura occultauit eadā ōnes qui sanamētē sunt, remouent ab oculis

and staying of the body, and the same consisteth in three things, well fauour dnesse, order, and furniture meet for ones doings, (some what hard it is to expresse: but it shall suffice, so it bee couceiued) and in these three contained, is that care also, that wee bee allowed of those, with whome, and among whom we liue. Of these matters likewise a few words let vs say.

First, verie Nature seemeth to haue hadde a great respect of our bodie, which hath sette most in sight our Whisdomye, and the rest of our shape, wherein there is an honest shew: but shee hath couered and kept close the parts of the bodye giuen for natures necessitie: which else should haue an euil fauoured and foule sight.

Whens shamefastnesse hath followed this so cunning a frame of nature.

For what so Nature hath hidden: the same all men, who bee well in theyr wits: do keepe from the eye: and



and they doe their endeouore to serue verpe necessitie, as closely as they may: and of what parts of the bodie the ble is seruile, neyther those parts, nor theyr seruice by their names they do call: and so, that, which to doe it is noe shame if it bee secretly, to tell it is vnclanelp.

And therefore neyther the open doeing of those things is boyd of vnshamefastnesse, nor the talke without filthinesse.

Neither truely are the Cynikes worthe to bee heard nor any of the Stoicks which are almost Cynike, who dooe reprove vs, and mocke at vs, because wee call those things in wordes shamefull to bee spoken vpon, which bee in deede not dishonest: and yet those things that bee dishonest, wee terme by their names. As to goe a theeuing to beeguyple one, to commit adultery, is a thing in deede dishonest, but it is told, without dishonestye, likewise to get childred in deede is honest, but to be vttered in talke is were vnclenly.

ipsique necessitati dant operam, vt quàm occultissimè pareant: quarumque partium corporis vsus sunt necessarij, eas neque partes, neque earum vsus suis nominibus appellant: quodque facere turpe non est, modo occultè, id dicere obscœnum est. Itaq; nec actio rerum illarum aperta petulantia vacat, nec oratio obscœnitare.

Nec vero audiendi sunt Cynici, aut si qui fuerunt Stoici pene Cynici, qui reprehendunt & irrident, quòd ea quæ re turpia non sint, verbis flagitiosa dicamus: illa autem quæ turpia sunt, nominibus appellemus suis.

Latrocinari, fraudare, adulterari re turpe est, sed dicitur non obscœnè: liberis dare operam re honestum est, nomine obscœnum. Pluraq; in eam sententiã ab eisdem

## de Officijs.

eisdem contrā verecundiam disputantur : Nos autem naturam sequamur, et ab omni, quod abhorret ab ipsa oculorum auriumq; approbatione, fugiamus. Status, incessus scissio, accubatio vultus, oculi, manuum motus teneant illud decorum.

Quibus in rebus duo sunt maximè fugienda, ne quid effæminatū aut molle, & ne quid durum aut rusticum sit. Nec vero histrionibus, oratoribusque concedendum est, vt his hæc apta sint, nobis dissoluta.

Scenicorum quidem mos tantam habet à vetere disciplina verecundiam, vt in scenam sine subligaculo prodeat nemo : verentur enim ne si quo casu euenerit, vt corporis partes quædam aperiantur, aspiciantur non decore. Nostro quidem more cum parentibus puberes filij, cum

And mo things, for that purpose bee reasoned by the Philosophers agaynst shamefastnesse. But let vs follow nature and shunne all things that abhorre the verpe pleasing of our eye, and eare.

Let our standing, going, sitting, lying, cheere, eyes, and moouing of hands keepe the same comelynesse. In which things, two faults wee must specially take heede of, that nothing womanishly, or daintily, and nothing blockishly, or carterly wee dooe. Neither must wee agree, that these things should bee seemely in players, and orators, and less loosely in our selues.

The custome of the stage players, euen of an olde order, hath so great regard to shamefastnesse, that no man commeth on the stage without breeches. For they are afraid, least if it chaunce by any mishap, that some parts of the bodie bee discovered, they should bee seene vncomely. And as the fashion is with vs, Children groweing to mannes state bee not bathed

bathed with theyr parents ,  
not sonnes in law, with their  
fathers in law.

Therefore this kinde of  
shamefastnesse is meete to bee  
obserued , namely whē nature  
hir selfe is guyde and mai-  
stresse.

But whereas there bee two  
kindes of duetie : and in one  
of them there is a louelinesse,  
in the other a maiestie : loue-  
linesse, we must think belongs  
to the woman , and Maiestie  
to the man. Therefore all ma-  
ner trimming , that is vnfit-  
ting for man , must bee kept  
from his outward fourme ,  
and the like fault to this must  
bee taken heed of in ones ge-  
stures, and mouings.

For both the sturring lyke  
wastlers is oftentimes mis-  
liked : and also many gestures  
lyke players are not without  
foolish toyes , and in both  
these kindes , those things  
which bee right and naturall,  
bee commended.

But the maiestie of the fa-  
uour is preserued by good-  
nesse of coulour, and colour by  
exercise of bodie.

cum socris generi non  
lauantur.

Retinenda est igitur hu-  
ius generis verecundia ,  
præsertim natura ipsa  
magistra & duce.

Cum autem pulchritu-  
dinis duo genera sint,  
quorum in altero venu-  
stas sit, in altero dig-  
nitas: venustatem mu-  
liebrem ducere debe-  
mus, dignitatem viri-  
lem.

Ergo & a forma re-  
moueatur omnis viro  
non dignus ornatus: &  
huic simile vitium in  
gestu, motuquæ caueatur.  
Nam & palæstrici mo-  
tus sæpe sunt odiosio-  
res & histrionum non  
nulli gestus ineptijs non  
vacant: & in vtroque  
genere, quæ sunt recta  
& simplicia laudan-  
tur.

Formæ autem digni-  
tas coloris bonitate tu-  
enda est, color exerci-  
tationibus corporis.

Adhibenda

H,



## de Officijs.

Adhibenda est præterea munditia, non odiosa, ne quæ exquisita nimis, tantum quæ fugiat agrestem & inhumanam negligentiam. Eadem ratio est habenda vestitus: in quo sicut in plerisque rebus mediocritas optima est. Cauendum est autem, ne aut tarditatibus utamur in gressu mollioribus, ut similes pomparum ferculis esse videamur: aut in festinationibus suscipiamus nimias celeritates: quæ cum fiunt, anhelitus mouentur, vultus mutantur, ora torquentur: ex quibus magna significatio fit non ad esse constantiam. Sed multo etiam magis elaborandum est, ne animi motus a natura recedat, quod assequemur, si caueamus ne in perturbationes atque exanimationes incidamus & si attentos animos ad decori conseruationem tenebimus. Motus autem animorum duplices sunt, alteri cogitationis,

There must a cleynnesse be vsed besides: that is not odious nor curious, but onely such as sheweth carterly, and vnnatural slouenry. The like regard wee must haue of appareile: wherein a meane, is in most part of things is best, wee must take heede also, wee be neither to nice a slownesse in our pace lyke Pageaunts in triumphes: neyther to much hast in speede making, lyke wildebeaynes. For when it happens, that men do so: they folowes short breathing, the countenaunce is changed, and the face disfigured, whereof comes a great presumption that they haue no staydnesse.

But wee must much more studie, that the effections of our minde stwarue not from nature: which wee shall attayne, if wee will beware, that wee fall not into moodes, and mazes: and if wee will continue in hauing heedfull minds to the keeping of comynesse.

But the motions of mindes be of two sorts, some proceede of intellygence,  
some

Some of appetite. Intelligence is chiefly occupied in searching out of truth, appetite stirreth a mā to be doing. Wee must prouide therefore, that we vse intelligence about the best matters, and that wee make our appetite obedeint to reason.

And because the power of speech is great, and the same is in two sortes, the one of vehement speech, the other of common talke: let the vehement speech serue for pleadings in Iudgements, Orations in assemblies, and debating in the Senate house, let talke bee vsed in companies, in disputations, in meetings of familiars, and let it also be at feasting. Of vehement speech, the Rethoricians haue rules, of talke, none at all: notwithstanding I wot not whether such also maye bee, &c.

Howbeit, for theyr studies that will learne, there bee teachers found, but none there bee that study this, with the route of Rethoricians all places bee replenished.

alteri appetitus. Cogitatio in vero exquirendo maximè versatur: appetitus impellit ad agendum. Curandum est igitur, vt cogitatione ad res quam optimas utamur: appetitum rationi obedientem præbeamus.

Et quoniam magna vis orationis est, eaque duplex, altera contentionis, altera sermonis: contentio disceptionibus tribuatur iudiciorum, concionum, senatus: sermo in circulis, disputationibus, congressionibus familiarium versetur: persequatur etiam conuiuia.

Contentionis præcepta Rhetorum sunt multa, nulla sermonis: quamquam haud scio an possint hæc quoque esse.

Sed descentium studijs, inueniuntur magistri. Huic autem qui student, sunt nulli: Rhetorū turba referta omnia, H.ij. quan-

## de officijs.

quanquam quæ verborum, sententiarumque præcepta sunt, eadem ad sermonem pertinebunt. Sed cum orationis indicem vocem habeamus: in voce autem duo sequamur, vt clarafit, vt suavis: vtrumque omnino a natura pendendum est, verum alterum exercitatio augebit, alterum imitatio præstet loquentium & leniter. Quid fuit aliud in Catulis, vt eos exquisito iudicio putares vti literarum? quanquam erant literati: sed & alij. Hi autem optimè vti lingua latina putabantur: sonus erat dulcis: literæ neque expressæ, neque oppressæ, neque aut obscurum esset, aut pudicum, sine contentione vox, nec languens, nec canora. Vberior oratio Lucij Crassi, nec minus faceta. Sed bene loquendi de Catulis opinio non minor.

Sale vero condius &

Neuerthelesse the same precepts which bee of words and sentences, shall appertaine to talke. But sithens wee have our voyce to bitter speech: & in voyce we seek two things, that it bee cleere and sweet: they both are to bee fetched from Nature euermore: but exercise will increase that one: imitation of tretable & soft speakers will help to other. What was in the Catulli, that yee should suppose them to vse a perfect iudgement in pronouncing of letters. Howbeit they were learned, but so were other to: yet these were thought to vse the Latine tongue best.

Their sounding was sweet, they Letters neyther too much mouthed, nor drawned, least eyther it should bee vnheard, or ouer harsh. Their voyce was without straying, neyther faynt nor shrill.

The speech of Lucius Crassus was more plentiful, and no lesse feate conceited, but for well speaking, the Catuli were in as much estimati-

on.

But



But Cesar who was bukkie to Catulus beeing sawced with mirth & merrie conceits, exceeded all: so that in the lawerly kind of pleading, hee with familiar speech passed the vehemence of other. In all these therefore wee must labour. if in all wee search what becommeth.

Let then this familiar talke (in which the Socratics most excell,) bee gentle, and nothing obstinate, let there be therein a pleasantnesse. No no: let a man keepe out other as though hee were entered into his owne possession: but as in other matters, so in common talke, hee must thinke an enterchaunged course oftentimes meete to bee vsed. And let him see first of all, of what matters hee speake: if they bee earnest, lette him vse a sagenesse, if they bee merrie, a pleasantnesse. Specially let him foresee, that his talke betwixt not some vice in his manners, which then cheifely is wont to befall, when either in mockage, or earnest, men

facetijs Caesar, Catuli patris frater vicit omnes: vt in illo ipso forensi genere dicendi contentiones aliorum sermone vinceret. In omnibus igitur his elaborandum est, si in omnibus quid deceat, exquisimus. Sit igitur hic sermo, in quo Socratici maxime excellunt lenis, minimeque pertinax, in si in eo lepos, nec vero tanquam in possessionem suam venerit, excludat alios: sed cum reliquis in rebus, tum etiam in sermone communis vicissitudine non nunquam vtendum putet. Ac videat in primis, quibus de rebus loquatur: si serijs, seueritatem adhibeat: si iocosis, leporem. In primisque prouideat ne sermo vitium aliqd' indicet inesse in moribus, quod maxime tum solet euenire, cum studiosè de absentibus detrahèdi causa

H.iii. aut

## de Officijs.

aut per ridiculum, aut seuerè, aut maledicè, contumelioseque dicitur.

Habentur autem plerumque sermones, aut de domesticis negotijs, aut de Reipublicæ, aut de artium studijs & doctrina. Danda igitur opera est, vt etiam si aberrare ad alia ceperit, ad hæc reuocetur oratio. Sed vtrunque aderunt res (neq; enim iisdem rebus, nec omni tempore, nec similiter delectamur) animaduertendum est etiam quatenus sermo delectationem habeat: & vt incipiendi ratio fuerit, ita sit desinendi modus. Sed quoniam in omni vita rectissime præcipitur, vt perturbationes fugiamus, id est motus animi nimios rationi non obtemperantes: sic eiusmodi motibus sermo debet vacare, ne aut ira existat, aut cupiditas aliqua: aut pigritia, aut ignavia,

doe busse themselves to speak railingly and spitefully of the absent, to their slander.

But this common talke for the most part, is had eyther of household matters, or of the common weale, or of learning and teaching artes, wee must therefore giue good heed, that when the communication beegins to stray to other things to these it bee retourned, yea, howsoeuer the matter fallies out, that is in hand.

For neyther all with one matter, nor at euerie season, nor a lyke wee are delyghted.

Wee must marke also, how farre our talke hath in it a lyking, and as there was a way to beegin it, so let there bee a measurable meane to end it.

But beecaue it is very well taught, that in all our life wee fly passions, that is to say, vnmeasurable moodes of minde, not ruled by reason, likewise our talke must be voyde of such moodes, least eyther anger aryse or some greedynesse, or slouthfulness, or cowardlynesse, or  
some

some such thing appeare. And most of all, wee must haue regarde, that those w<sup>th</sup> whome wee keepe table, wee seeme both to reuerence and to loue.

Chiding also many times comes in place as necessarie: in which one must vse peraduenture both a greater strapping of voyce, and a sharper grauitie of words. It must also bee prouided, that wee seeme not to dooe those things as irefull, but as Phisitions do come to searing & cutting: so let vs seldome and vnwillingly fall to such manner of rebuking: and not at all, vnlesse it bee of necessitie, when there will bee found none other remedie.

But yet let it bee cleerely without anger, wherewith nothing rightly, nothing discretely can be done.

And for the most part wee maye vse a gentle manner of rebuking, yet temperate with a grauitie, so as both a sowernesse bee shewed, and all spite refrayned.

Pea, and that some bitterness

aut aliquid tale appareat. Maximèque curandum est, vt eos quibuscum sermonem conferimus, & vereri & diligere videamur.

Obiurgationes etiam nonnunquam incidunt necessariae, in quibus vtendum est fortasse & vocis contentione maiore, & verborum grauitate acriore. Id agendum etiam est, vt ne ea facere videamur irati: sed vt ad vrendum & secandum medici veniunt, sic ad hoc genus castigandi raro inuitique veniamus, nec vnquam nisi necessario, si nulla raperietur alia medicina. Sed tamen ira procul absit, cum qua nihil rectè fieri, nihil cōsideratè potest.

Magna autem ex parte clementi castigatione licet vti, grauitate tamen adiuncta, vt & seueritas adhibeatur, & contumelia repellatur.

Atque etiam illud ipsum, quod acerbitatis



## de Officijs.

habet obiurgatio, significandum est ipsius causa, qui obiurgetur, suscepium esse. Rectum est autem etiam in illis contentionibus, quæ cum inimicissimis fiunt, etiam si nobis indigna audiamus, tamen gravitatem retinere, iracundiam repellere. Quæ enim cum aliqua perturbatione fiunt, ea nec constanter fieri possunt, nec ijs, qui absunt, approbari. Deforme etiam est, de seipso prædicare, falsa præsertim, & cum irrisione audientium imitari militem gloriosum.

Et quoniam omnia persequimur, dicendum est etiam qualem hominis honorati & principis domum placeat esse. Eius finis est usus, ad quem accommodanda est ædificandi descriptio & tamen adhibenda dignitatis, commoditatisque diligentia.

which chiding hath in it, must bee declared to be vsed for his sake, who is chidden. It is good also euē, in these brauls, which bee made with our interest enimies, although wee take woordes vnmeet to bee spoken to vs, to keepe yet a grauitie, and to suppress the angry moode. For those things that bee wrought with any passion, neyther can bee constantly doone, nor allowed to those h̄ are present. Euill fauoured also it is to tel praises of a mans selfe, specially if they bee vntrue, and with the making of the hearers, to resemble the glorious soldiers.

And beccause wee goe thorough all matters, wee must tell also what manner of house, it liketh vs, an honorable man and a prince should haue. Whose ende is the occupying thereof, according to the which the plat of the building must bee made: and neuerthelesse ther must respect bee had to a statelinesse and handsomenesse, in the same.

Wee

Wee haue heard say, it was an honour to Gneus Octavius, who the first of the famylve was made Consull, beecaufe in the Pal-laice, hee had builded a gorgeous house, and full of state-lynesse, which when people resorting thether had seene, was thought to further the maister, a man newly come bp, to the attayning of the Consulship. This did Scaurus pull downe and enlarge the roome of his houses. And so Octavius into his house first brought the Consulship: this other a noble and famous mannes sonne, into his enlarged house, not onely brought repulse, but also a stayne and miserie. For a mannes honour must bee set out by his house, and not all his honour sought by his house: nor by the house the maister, but by the maister the house must bee honored. And as in all things else, regard is to bee hadde, not of a mannes selfe onely, but of others also: lykewise in a noble mannes house,

Cneo Octavio, qui primus ex illa familia Consul factus est, honoris fuisse accepimus, quod præclaram ædificasset in palatio & pelnam dignitatis domum: quæ cum vulgò viseretur, suffragata domino nouo homini ad consulatum putabatur.

Hanc Scaurus demolitus accessionem adiunxit ædibus. Itaque ille in suam domum consulatum primus attulit: hic, summi & clarissimi viri filius in domū multiplicatam non repulsam solum retulit, sed ignominiam etiam & calamitatem.

Ornanda enim est dignitas domo, non ex domo dignitas tota querenda, nec domo dominus, sed domino domus honestanda est. Et vt in cæteris habende ratio non sui solum sed etiam aliorum: sic in domo clari hominis,

H.v.

in

## de Officijs.

in quā & hospites multi recipiendi sunt, & ad mittenda hominum cuiusque generis multitudo, adhibenda est cura laxitatis.

Aliter ampla domus dedecori domino saepe fit, si est in ea solitudo, & maxime si aliquando alio domino solita est frequentari. Odiosum est enim cum a prætereuntibus dicitur.

O domus antiqua:

Heu, quam dispari dominaris domino.

Quod quidem his temporibus in multis licet dicere. Cauendum est autem praesertim si ipse aedifices, ne extramodum sumptu & magnificentia prodeas.

Quo in genere multum mali etiam in exemplo est.

Studiose enim plerique praesertim in hanc partem, facta principum imitantur.

into the which both many guests are to bee receiued, and a number of men of euery sort is to bee admitted, there must be made a prouisiō for roomethinesse.

Otherwise the large house prooueth to the master oftentimes a shame: if there bee in it a solitarinesse, and specially if once with another master it was woont to bee well filled. For an odious thing it is, when of the by goers it is sayd.

O auncient house, alas, wee may see:

How bulkye a Lord hath Lordship on thee.

Which a man may truelye, say now a dayes of many. Yee must beeware also, namely, if your selfe bee a builder, that be pond measure in sumptuousnesse and great cost you dooe not exceede, in the which kinde, euen of the ensample much harme ariseth.

For diligently most men, specially in this poynt, do follow the doings of princes, as  
of



of Lucius Lucullus, a singular man, who enueth the vertue? How many yet haue followed the great costlynesse of his manor places? In which things there must doubtlesse bee vsed a measure, that to a meane keeping must bee reduced, and the same meane keeping must bee referred to the common vse, and countenance of the lyfe. But of these he-  
therto.

Now in enerie deede, wee take in hande, three poynts are to bee kept. First, that appetite obey reason: for nothing is meete then that, for the mayntaining of dueties.

Next, that it bee considered, how great a thing it is which wee minde to bring to passe, & neyther lesse, neyther more care and paine bee taken then the case requireth.

The third point is, that wee haue an eye to vse a measure in those things which pertain to an honest shew, and seemely grace.

The best measure is to keepe the very seemlynesse,

Vt Lucij Luculli summi viri virtutem quis? at quam multi villarum magnificentiam imitati sunt? Quarum quidem certè est adhibendus modus ad mediocritatemque reuocandus: eademque mediocritas ad omnem vsum, cultumque vitæ referenda est, Sed hæc hætenus.

In omni autem actione suscipienda, tria sunt tenenda.

Primum, vt appetitus rationi pareat: quo nihil est ad officia conseruanda accommodatius. Deinde vt animaduertatur quanta illa res sit, quam efficere velimus, vt neue maior, neue minor cura & opera suscipiatur, quam causa postulet.

Tertium est, vt caueamus, vt ea quæ pertinent ad liberalem speciem et dignitate, immoderata sint. Modus autem est optinus, decus ipsū tenere,  
de

## de Officijs.

de quo antè dixim⁹, nec  
progredi longius. Horum  
autem trium prestan-  
tissimum est appetitum  
obtemperare rationi.

Deinceps de ordine  
rerum & temporum op-  
portunitate dicendum  
est. Hac autem scientia  
continetur ea, quam græ-  
ci *ὑποτάξις* nominant, non  
hec, quam interpretamur  
modestiam, quo in ver-  
bo modus inest: sed il-  
la est *ὑποτάξις*, in qua in-  
telligitur ordinis conser-  
uatio. Itaq; vt eandē nos  
modestiam appellemus  
sic definitur a Stoicis,  
Vt modestia sit scientia  
earum rerum, quæ agū-  
tur aut dicuntur, loco  
suo collocandarum.  
Itaque videtur eadem  
vis ordinis & collocati-  
onis fore. Nam & ordi-  
nem sic definiunt: com-  
positionem rerum ap-  
tis & accommodatis lo-  
eis.

Locum autem actionis,

whercof wee speake beefore,  
and not to passe those bonds.  
But of these three, the chie-  
fest is, that appetite obey re-  
son.

Heereafter touching order  
of things, and opportunitie  
of times, wee haue to saye.  
And this knowledge containe-  
th that which the Greekes  
dooe name *ὑποτάξις*, not thus  
which wee interprete Mode-  
stia: in the which word Mo-  
dus is comprehended. But  
that is *ὑποτάξις* wherein is  
meant a keeping of order. And  
therefore that wee maye call  
the same Modestia thus it is  
defined of the Stoikes, that  
Modestia (that is to saye)  
discreation is the knowledge  
of setting those thinges  
which are doone or sayd,  
in theyr proper places. And  
so of order and places there  
seemes to be all one property.

For thus also they define  
order to bee a framing of  
things in apt and conuenient  
places.

And place they say, concer-  
neth

meth the doeing, opportunitie the time. And time convenient for the goeing, in Greek *ωραία*, in Latine it is called *Occasio*. So falleth it, that this discretion which wee interpret, even as I said, is the knowledge of opportunitie of fit season to dooe a thing.

But the same definition may bee of prudence, wherbypon wee treated in the beeginning. But in this place wee search after measure keeping, and temperaunce, and other like vertues. Therefore what were the properties of prudence, in theyr place wee haue spokē. But what properly bee longs to these vertues, wherof heere wee haue beegunne to speake, which pertayne to shamesfastnesse, and to their lyking, with whom wee liue wee must now declare.

Such an order therefore in our doeings is to be vsed, that as in an oration well builded, so in a mans lyfe all things bee accordaunt and agreeable together.

opportunitatem temporis esse dicunt. Tempus autem actionis opportunum græce *ωραία* latine appellatur occasio. Sic fit vt modestia hæc quam interpretamur (ita vt dixi) scientia sit opportunitatis idoneorum ad agendum temporum.

Sed potest eadem esse prudentiæ definitio, de qua principio diximus. Hoc autem loco de moderatione & temperantia, & harum similibus virtutibus quaerimus. Itaque, quæ erant prudentiæ propria, suo loco dicta sunt. Quæ autem harum virtutum, de quibus iam dudum loquimur, pertinent ad verecundiam & ad eorū approbationem, quib⁹ cum viuimus, nūc dicēda sūt. Talis est igitur ordo actionum adhibendus: vt quemadmodum in ratione constanti, sic in vita omnia sint apta inter se & conuenientia,  
Tur.



## de Officijs.

Turpe est enim valdeq;  
vitiosum, in re seuera,  
conuiuio dignum aut  
delicatum aliquem in-  
ferre sermonem. Bene Pe-  
riclos cum haberet colle-  
gam in prætura Sophocle  
poetam, ijq; de communi  
officio conuenissent, &  
casu formosus puer  
præteriret, dixissetque  
Sophocles, O puerum  
pulchrum Pericle. Peri-  
cles ait, At enim præto-  
rem Sophocle decet non  
solum manus, sed etiam  
oculos abstinentes habe-  
re. Atq; hoc eidem Sopho-  
cles si in Athletarum ap-  
batione dixisset, iusta  
reprehensione caruisset  
Tanta vis est & loci, & tē-  
poris, vt si quis cum causā  
sit acturus in itinere, aut  
in ambulatione secū ipse  
meditetur, aut si quid ali-  
ud attentius cogitet, non  
reprehendatur, at hoc i-  
dem si in conuiuio fa-  
ciat, inhumanus videat-  
ur, inscitia temporis.  
Sed ea, quæ multum ab  
humanitate discrepant,

For a fowle hearing it is, and  
berie faultie in a sage matter,  
to bring in any table talke, or  
wanton woords, Pericles  
sayde well, when hee hadde  
Sophocles ioynd Preto-  
with him, and they were com-  
muning about theyr office,  
and as by chaunce a well fa-  
uoured childe passed by. So-  
phocles sayde, Oh there is a  
fayre Boy, Pericles, hee aun-  
swered. It beecometh a Pre-  
to, Sophocles, to haue not  
onely forbearing hands, but  
eyes also. If Sophocles had  
sayd this same, where wast-  
lers, bee allowed, hee hadde  
beene free from iust reproofe.  
So great a force ther is both  
of place and time. As for ex-  
ample, if a man that shall  
pleade a cause, bee musing  
to himselfe in his iourney,  
or in his walke, or anye o-  
ther thing, hee mindeth heede  
fully, hee is not reprooued,  
but if he do the like at a feast,  
hee may bee thought vnciuill,  
for hauing no regard to the  
time.

Howbeit those thinges  
which farre disagree from all  
humane

humanitie, as if anye man sing in the streete, or if any other great discorde there bee: by and by they appeare and they greatly neede not our admonicion, or rules: but from these: which seeme to bee small faultes, and of many cannot bee perceaued, wee must the more diligently refrayne. As in Instruments sounding by strings or blast, though neuer so little the iar, yet that of a cunning manne is wont to bee found: so must wee liue in this life that nothing chaunce to iar, yea and so much the more, as the concord of deeds is greater, and better than of tunes. Wherefore as in Instruments, Musicians eares doe feeleeuen the least Discord, so if wee will bee sharp, and quicke Judges and markers of faultes, wee shall vnderstand often tymes great things by small.

Wee shal soone iudge by the setting of the eye, by smooth looking, or bending of the brows by sadnesse, mirth, laughter, speaking, silence, straying,

vt si quis in foro cantet, aut si qua est alia magna puerilitas, facile apparent, nec magnopere admonitionem & precepta desiderant.

Quæ autem parua videtur esse delicta, neq; a multis intelligi possunt, ab his est diligentius declinandum: vt in fidibus aut in tibijs, quauis paulū discrepēt, tamen id a sciente animaduerti solet: Sic viuendus est in vita, ne forte quid discrepet, vel multo etiam magis quō maior & melior actionum, quā sonorū concentus est. Itaq; vt in fidibus musicorum aures vel minima sentiunt: sic nos si acres ac diligentes iudices esse volumus animaduersoresque vitiōrum, magna intelligemus sæpe ex paruis. Ex oculorum obtutu, ex superciliorum aut remissione, aut contractione, ex mœstitia, ex hilaritate, ex risu, ex locutione, ex reticentia

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ex contentione vocis, ex  
sumissione, ex cæteris si-  
milibus facile iudicabi-  
mus, quid eorū aptè fiat  
quid ab officio naturaq;  
discrepet. Quo in gene-  
re non est incommodum  
quale quodq; eorum sit  
ex alijs iudicare, vt si  
quid dedecet in illis,  
vitemus & ipsi. Fit enim  
nescio quo modo, vt ma-  
gis in alijs cernamus quā  
in nobis inet ipsis si quid  
delinquitur. Ita q; facili-  
mè corriguntur in descē-  
do, quorū vitia imitātur  
emendandi causa magi-  
stri. Nec vero alienū est,  
ad ea eligenda, quæ du-  
bitationem afferunt, ad  
hibere doctos homines,  
vel etiam vsu peritos, &  
quid his de vnoquoque  
genere officij placet, ex-  
quirere. Major enim  
pars eō ferè deferri solet  
quò a natura ipsa dedu-  
citur, in quibus viden-  
dū est non modo quid  
quisque loquatur, sed  
etiam quid quisque sen-  
tiat, atque etiam qua de

and falling of the voyce, and  
other such like, what is sit-  
tingly done: and what from  
duetye, and nature swarveth.  
In which kinde of things,  
it is not vnconueniēt to iudge  
by other, of what sort each  
of them is, that if ought mis-  
becommeth an other, wee  
shonne it also in our selues.  
For it comes to passe, I wot  
not how, that wee see more  
in other, than in our selues,  
if ought bee doone amisse.

And therefore verie soone  
those schollers, bee corrected,  
whose faultes they masters  
dooe counterfayt, for to make  
them amend.

For truely out of the way  
it is, in choosing of things,  
which bring a doubtfulnesse  
to take learned mens aduise,  
or skilful by experiēce, & so to  
search what lyketh them, con-  
cerning euerie kinde of dutie.  
For the greater part is com-  
monly went thether to bee car-  
ried whither of very nature  
they bee led. In which wee  
must see not onely what each  
man saith, but also, what each  
man thincketh, and for what  
cause



cause each man so thincketh. For as Painters, and they that graue Images, and the right Poets also, bee willing to haue theyr woorkes seene of all sorts of men, that in case ought bee repproued of many, it may bee corrected, and therein both w<sup>th</sup> themselves and w<sup>th</sup> other they examine, what is done amisse: So after the iudgement of other, many things of vs both must bee doone, and left vndoone, and also chaunged and amended.

As for things, which are done after custome, and ciuill ordinaunces, there is no precept to bee giuen of them. For they bee precepts of themselves, neither it beehoueth any man to bee ledde w<sup>th</sup> this error, if Socrates, or Aristippus haue done, or spoken any thing against ciuill order, and custome: that hee should thincke the same lawfull for him to dooe.

They obtained such a large libertie of fault finding, by theyr great and heavenly gifts. But the whole fashion

causa quisq; sentiat. Vt enim pictores, & ij qui signa fabricant, & veri etiam poetę suum quisque opus a vulgo considerari vult, vt si quid reprehensum sit a pluribus, id corrigatur, hiq; & secum & cū alijs, quid in eo peccatum sit, exquirunt: sic aliorum iudicio permulta nobis & facienda, & non facienda, & mutanda & corrigenda sunt.

Quæ verò more aguntur, & institutis ciuilibus, de his nihil est præcipiendum. Illa enim ipsa præcepta sunt.

Nec quenquam hoc errore duci oportet: vt si quid Socrates aut Aristippus contra morem consuetudinemque ciuilem fecerint locutiue sint, idem sibi arbitrentur licere. Magnis enim illi, & diuinis bonis hanc licentiam assequebantur.

Cynicorum vero ratio  
I. tota

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tota est eijcienda : est enim inimica verecundia : sine qua nihil rectum esse potest, nihil honestum.

Eos autem, quorum vita perspecta in rebus honestis, atque magnis est, bene de Repub. sentientes ac bene meritos, aut merentes, aliquo honore, aut imperio affectos obseruare & colere debemus.

Tribuere etiam multum senectuti, cedere ijs, qui magistratum habebunt : habere delectum cuius & peregrini : in ipso quoque peregrino, priuatimne an publice venerit.

Ad summam, ne agam de singulis, communem totius generis hominum conciliationem & consortiationem colere, tueri, seruare debemus.

Iam de artificijs & quaestibus, qui liberales habendi, qui sordidi sint, hęc

of the *Cinikes* is vtterly to bee refused. For it is enemie to shamefastnesse : with out which : there can be nothing byright, nor nothing honest. But those wee ought to reuerence, and giue attendance vpon them : whose lyfe hath bene tried in honest and worthy matters : who doe meane well to the common weale, & haue well deserued or dooe deserue well thereof, and to any honour or rule bee aduanced, also wee must haue olde age in great estimation : and must giue place to those, that beare office, and make difference betweene a Citizen and a straunger : and in the very straunger also wee ought too consider, whether hee came of priuate busynesse, or for the Common weales affaires.

In summe (that I treat not of euery particular) wee are bound to loue, maintain, & preserue y<sup>e</sup> common attonment & fellowship of all mankind. Now concerning occupacions and gaineful sciēces which are to bee compted honest  
and

and which are of base reputation, thus commonly we haue learned. First, those gainings bee disallowed, that runne in hatred wyth all men, as the gaine of tolfarmers and vsurers. Out of estimation also and base bee the gaines that men in wages doe take, whose labour is bought, and not theyr cunning. For in them the verie hysc is as it were the obligation of theyr bondage.

They moreover are to bee counted of the baser sort, who buye of merchaunts, that out of hand they retaille agayne.

For nothing they profit but lesse they lye a pace, and truely dishonester thing is there none, then a baine tongue.

And all kind of handy craftsmen serue in meane occupations. Neither can y<sup>e</sup> work shop truely haue in it anye gentlemanly dooing, and no deale to bee praised are these occupations, which be seruers of pleasures, as Trinkormen, Butchers, Cookes, Buddingmakers, Fishermen, which Terence speaketh of, put to these

hæc ferè accepimus.

Primum improbandum ij questus, qui in odio hominum incurunt, vt portitorum, & sceneratorum. Illiberales autem, & sordidi questus mercenariorum omnium, quorum operæ, non quorum artes emuntur. Est enim in illis ipsa merces auctoramentum seruitutis.

Sordidi etiam putandi, qui mercantur à mercatoribus quod statim vendant. Nihil enim proficiunt, nisi admodum mentiantur. Nec verò quicquam est turpius vanitate.

Opificesque omnes, in sordida arte versantur. Nec enim quicquam ingenuum potest habere officina: minimèque artes ex probandæ, quæ ministræ sunt voluptatum: cætarij, lanij, coqui, factores, piscatores, vt ait Terenti<sup>9</sup>: adde his  
I.ij. 6



si placet, vnguentarios, saltatores, totumq; ludum salarium. Quibus autem artibus, aut prudentia maior inest: aut non mediocris utilitas quaeritur, ut medicina, ut architectura, ut doctrina rerum honestarum, hæ sunt ijs, quorum ordini conueniunt honestæ. Mercatura autem si tenuous est, sordida putanda est: Sin magna & copiosa, multa vndique apportatis, multisque sine vanitate impertiens non est admodum vituperanda. Atque etiam si satiata questu, vel contenta potius, ut sæpe ex alto in portum, sic ex ipso portu se in agros possessionesque contulerit, videtur iure optimo posse laudari. Omnium autem rerum, ex quibus aliquid acquiritur, nihil est agricultura melius, nil vberius, nil dulcius, nil homine libero dignius. De qua quomiam in Catone maiore satis

if pee list, perfumers, dancers, and all hazarders.

But those sciences, wherein is greater wisdom, and no meane profit sought, as physick, casting of buildings, and learning of worthie knowledge, be honest for them, with whose estate they agree. And merchaundise, if it be small, is to bee counted of little estimation: but if it bee great and well storied, conueying many commodities rounde about, and dispearling those same into many mens hands, without bayne words, it is not much to bee dispraised, and furthermore, if beeing satisfied with gaine, or contented rather, as it hath often come, from the Sea to the haue, so it chaunge from the haue into lands and possessions, it seemeth of verte good right it may bee commended. For of all things, wherout any gayne is sought, nothing is better then ground, tilth, and trimming, nothing yeeldinger, nothing sweeter, nothing meete for a free borne man, whereof because

in Cato the elder we haue spoken inough, thence shall you take, what so to this place shall appertaine. But how duties dooe proceed from those parts, which beelong to honestie, I thincke it sufficientlpe declared. Now in those same things which bee honest, there may befall oft times a question and comparison of two honest things, whether is the honestest, which point is passed ouer of Panetius.

For whereas all honesty springeth out of foure branches, whereof one is of knowledge, another of common fellowshippe, the third of great courage, the fourth of measure keeping, it must needes bee, that in choosing of duties, these bee often compared together. Wee thincke therefore those duties bee more agreeable with nature, which bee borrowed from common fellowshippe, than those which be fetched from knowledge, and that may bee proved by this argument: because if a wise man happen on such a life, that hee bee en-

multa diximus, illinc assumes, quæ ad hunc locum pertinebunt. Sed ab ijs partibus, quæ sunt honestatis, quemadmodum officia ducerentur, satis expositum videtur. Eorum autem ipsorum, quæ honesta sunt, potest incidere sæpe contentio & comparatio de duobus honestis, vtrum honestius, qui locus à Pangatio est prætermisus.

Nam cum omnis honestas manet à partibus quatuor, quarum vna sit cognitionis, altera communitalis, tertia magnanimitatis, quarta moderationis: hæc in diligendo officio, sæpe inter se comparentur, necesse est. Placet igitur aptiora esse naturæ ea officia, quæ ex communitate, quam ea, quæ ex cognitione ducantur. Idque hoc argumento confirmari potest. Quod si contigerit ea vita sapienti, vt omnium rerum  
I.iii. afflu-

affluentibus copijs di-  
 cetur: quamuis ea, quę  
 cognitione digna sunt,  
 summo otio secum ipse  
 consideret & contem-  
 pletur: tamen si solitu-  
 do tanta sit vt hominē  
 videre non possit, exce-  
 dat ē vita. Princepsq;  
 omnium virtutum est  
 illa sapientia, quam  
 Græci vocant. Pru-  
 dentiam enim, quam  
 Græci *σοφίαν* dicunt, a-  
 liam quandam intelli-  
 gimus: quę est rerum  
 expectandarum, fugien-  
 darumque scientia. Illa  
 autem sapientia, quam  
 principem dixi, rerum  
 est deuiinarum, atq; hu-  
 manarum scientia: in  
 qua continetur deorum  
 & hominum communi-  
 tas & societas ipsorum  
 inter ipsos.

Ea si maxima est, (vt  
 est certē) necesse est,  
 quod à communitate  
 ducatur officium, id esse  
 maximum.

riched with a flowing plen-  
 tie of all manner substance,  
 though with verie great  
 leasure hee consider, and all  
 to beehold with himselfe those  
 things which are worthe  
 of knowledge, yet if his soli-  
 tairinesse bee so great, that hee  
 cannot haue the sight of a  
 man, he would wish to be out  
 of the world. And that wisde-  
 dome which the Greekes dooe  
 terme σοφία, is the Princesse  
 of all vertues. For prudence,  
 which the Greekes dooe call  
 σοφία, wee take to bee of ano-  
 ther nature, which is the  
 knowledge of things to bee  
 desired, & things meete to bee  
 eschewed. But that wisdome  
 which I named the princesse,  
 is the science of heavenly and  
 worldly things, wherein is  
 contained the commonnesse  
 of Gods and men and the  
 societie together. Which ver-  
 tue, in case it bee the greatest,  
 as it is indeede, it must needs  
 follow, that the duetie which  
 is borrowd of commonnesse  
 also is the greatest.



For the knowledge and consideration of naturall causes, should after a certaine sort be maine and vnperfect, if no performance of deedes should follow. And deedes must appear in defending of mennes commodities. They beelongs therefore to the fellowship of men, and for that cause are to bee preferred before knowledge.

And this euery best disposed man, when it comes to the point, doth shew and declare.

For who is so desirfull of throughseeing, and learning the nature of things, but in case while hee were treating, and viewing of matters most worthy of knowledge, in the meane season hee should suddenly heare tidings of the hazard and danger of his countrey, which hee is able to succour and withstande, hee would leaue and set aside all those studies: yea, though hee thought, hee were able to number the stars or to measure the huge compasse of the world, and the same man also would doe as much in his parents

Etenim cognitio, contemplatioque naturæ, manca quodammodo, atque inchoata sit, si nulla actio rerum consequatur. Ea vero actio in hominum commodis tuendis maximè ceruitur. Pertinet igitur ad societatem generis humani. Ergo hæc cognitioni anteponenda est.

Atque id optimus quisque re ipsa ostendit & indicat. Quis est enim tam cupidus in perspicienda, cognoscenda que rerum natura, ut si ei tractanti, contemplatiue res cognitione dignissimas, subito sit allatum periculum discrimenque patriæ, cui subuenire, opitularique possit, non illa omnia relinquat atque abijciat, etiam si denuerare se stellas, aut metiri mundi magnitudinem posse arbitretur? Atque hoc idem in parentis,

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in amici re, aut periculo fecerit. Quibus rebus intelligitur, studijs, officiisq; scientiæ præponenda esse officia iustitiæ, quæ pertinent ad hominum vtilitatem: quæ nihil homini esse debet antiquius. Atque illi ipsi, quorum studia vitæq; omnis in rerum cognitione versata est, tamen ab augendis hominum vtilitatibus & commodis non recesserunt. Nam & erudire multos, quos meliores ciues, vtilioresque in rebus suis publicis essent: vt Thebanum Epaminondam Lyfias Pythagoræus, Syraculium Dionem Plato, multique multos, Nosque ipsi quicquid ad Rempublicam attulimus (si modo aliquid attulimus) à doctoribus atque doctrina instructi ad eam & ornati accessimus.

Neque solum viui atq; præsentis studiosos discendi erudiunt, atque

and in his friends cause and perill. By which things it is gathered, that beefore the studies, and duties of knowledge, the studies of iustice are to bee preferred, which dooe beelong to the profit of men, then the which a man ought to hold nothing direct.

Also they who haue spent theyr whole lyfe and studie in knowledge of things, haue not yet withdrawen themselves frõ helping to increase mennes profits and commodities. For they also haue instructed many, to make them the better Citizens, and the more profitable in theyr common weales, as Lyfias the Pythagorian, schooled the Theban Epaminondas: Plato taught Dion the Syracussion, and many a one more, and whatsoeuer wee our selues brought to the common weale, (if any thing wee haue brought) wee came to it enformed by teachers, and furnished with learning.

And they not onely while they liue and bee present, dooe schoole and teach the students

dents of learning, but after they death also, by they monuments of learning, they dooe the same. For they haue not ouerpasse one poyn that concerneth lawes, custome, and the common wealthes knowledge, so as they may seeme to haue employed they quiet studies to our common affaires.

Thus they beeing themselves giuen to the studies of learning and wisdom, dooe chiefly bestow their wisdom, prudence, and vnderstanding, to mens commodities. For by same cause also it is better to better plentifully, so it bee discreetly, then without eloquence to conceiue neuer so wittely, beecaue ones conceit serueth onely within it selfe.

Whereas eloquence gettes within hir reach those, with whom wee are ioynd in common fellowshippe. And as swarmes of Bees doe cluster together, not to this ende, to make combs, but being swarming by kinde, they worke they combs, so men much more,

docent : sed hoc idem etiam post mortem monumentis literarum, assequuntur. Nec enim locus vllus prætermissus est ab ijs, qui ad leges, qui ad mores, qui ad disciplinam Reipu. pertineret : ita vt otium suum ad nostrum negotium contulisse videantur. Ita illi ipsi doctrinæ studijs & sapientiæ dediti ad hominum vtilitatem suam sapientiam, prudentiam, intelligentiamque potissimum conferunt. Ob eam etiā causam eloqui copiosè (modo prudenter) meli⁹ est, quam vel acutissimè sine eloquētia cogitare : quod cogitatio in se ipsa vertitur : eloquentia vero complectitur eos, quibuscum communitate iuncti sumus. Atq; vt apum examina non fingendorum fauorū causa congregantur : sed cum congregabilia natura sine fingunt fauos : sic homines ac multo etiam ma-



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gis, natura congregari, adhibent augendi, congregandique solertiam. Itaque nisi ea virtus, quę constat ex hominibus tuendis, id est ex societate generis humani, attingat rerum cognitionem, soliuaga cognitio, & ieiuna videatur. Itemq; magnitudo animi remota à communitate, coniunctioneque humana, feritas sit quędam & immanitas. Ita fit, vt vincat cognitionis studium consociatio hominum, atque communitas.

Nec verum est, quod dicitur à quibusdam, propter necessitatē vitę, quę ea natura desideraret, & consequi sine alijs, atque efficere non possemus, idcirco istam esse cum hominibus communitatem & societatem. Quod si omnia nobis, quę ad victum, cultumq; pertinent, quasi virgula diuina (vt aiunt)

more than they, by nature swarming, doe vse they cunning of dooing and deuising.

Therefore vntlesse the same vertue which consisteth in desending men, that is to say, the fellowshippe of mankinde dooth meete wth the knowledge of things: it may seeme a verie bare and alone wandering knowledge, and lyke wise greatnesse of courage severed from common fellowshippe, and neighbourhoode of men must needes bee a certayne sauagenesse and beastly crueltie. So it falles out, that the accompanying and common fellowship of men farre surmounts þe studie of knowledge.

Neither is it true, which is sayd of some, that this common knot and fellowshippe is had among men, euen for necessitie of life, because without other, wee might not get and bring to passe those things that Nature doeth desire: and that if all things were found vs, euen by the grace of GOD, as (they say) which

which appertayne to food and furniture of lyfe, then woulde every one of a good wit, all busynesse, laid aside, settle him selfe wholly in knowledge and science. But that is not so. For hee would both fly solitarinesse, and chose a companion of studie, both teach, & learne, both heare and speake. Wherefore all duetie which auaileth to maintaine neighbourhood, and fellowship of men, is to bee preferred aboue the duetie, which consisteth in knowledge and science. This question peradventure may bee well mooued, whether this common fellowshippe which is most of all agreeable to nature, bee also alwayes to bee preferred before meane, and measure keeping, I thincke not so.

For there bee some things, partly so filthy, partly so hateful, that a wise man would not dooe them, no not to saue his country. Very many such, Possidonium hath gathered together, but some of them so foule and so filthy,

suppeditarentur : tum optimo quisque ingenio negotijs omnibus omissis, totum se in cognitione & scientia collocaret. Non est ita, Nam & solitudinem fugeret, & socium studij quæreret : tum docere, tum discere vellet, tum audire, tum dicere. Ergo omne officium quod ad conjunctionem hominum, & ad societatem tuendam valet, anteponendum est illi officio, quod cognitione & scientia continetur. Illud forsitan quærendum sit, num hæc communitas, quæ maximè est apta naturæ, sit etiam moderatiori, modestiæque semper anteponenda, non placet. Sunt enim quædam partem ita foeda, partim ita flagitiosa, ut ea ne conseruandæ quidē patriæ causa sapiens facturussit. Ea Possidonium collegit permulta, sed ita tetra quædam, ita obscenæ  
ut

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vt dictu quoque videantur turpia. Hæc igitur nō suscipiet quisquam Reipub. causa nec Respub. quidam pro se suscipi volet. Sed hæc commodius se res haber, quod non potest accidere tempus, vt intersit Reipub. quicquam illorum facere sapientem. Quare hoc quidem effectum sit in officijs deligendis : hoc genus officiorum excellere, quod teneatur hominum societate. Etenim cognitionem prudentiamque sequitur cōsiderata actio. Ita fit, vt consideratè agere piuris sit, quàm cogitare, prudenter. Atque hæc quidem hætenus. Patrefactus est enim locus ipse, vt non si difficile in exquirendo officio, quid cuiq; sit præponendum, videre.

In ipsa autem communitate sunt gradus officiorum, ex quibus quid cuique præstet, intelligi possit : vt pri-

that euen to bee spoken they seeme shamefull.

Those therefore ought no man to take in hande, for the common weals cause, neyther would the common weale for hir sake haue them enterprised. But this matter stands in better case, for that ther can befall no time that the commō weale should neede to haue a wise man dooe any of them. Wherefore let this bee concluded, in choyce of dueties that such kinde of dueties most excell, as concerne the fellowship of men. For aduised dooeing wll follow knowledge and wisdom.

So it comes to passe, that to dooe aduysedlye is more woorth, then wisely to deuise. And thereof thus farre.

For this place is plainly inough set out, that it is not hard in searching out of duetie, to perceiue, amonge them all which afore other is to be preferred.

Yet euen in common fellowship there bee degrees of dueties, wherby may bee known what one is aboue the other,



so as the first dueties bee due  
to the Gods immortall, the se-  
cond to our countrie, the third  
to our parents, & so forth by  
degrees, the rest to the rest.

Of the which matters brief-  
ly debated, may bee gathered,  
how men are wont, not onely  
to doubt whether a thing bee  
honest or dishonest: but also  
two honest things laid before  
them whether is the honestest.

This point (as I sayde bee-  
fore) is ouerslipped by Pa-

netius. But now to  
the residue let

vs pro-  
ceede.

ma Dijs immortalibus,  
secunda patrię, tertia  
parentibus: deinceps,  
gradatim reliqua reli-  
quis debeantur.

Quibus ex rebus bre-  
uiter disputatis, intelli-  
gi potest, non solum id  
homines solere dubita-  
re, honestum ne, an tur-  
pe sit, sed etiam duobus  
propositis honestis, v-  
trū honestius. Hic locus

à Panętio est (vt su-  
pra dixi) prætermis-  
sus. Sed iam ad re-  
liqua perga-  
mus.

**M. TVLLII MARCVS TVL-  
CICERONIS LVSCICEROS**

De officijs. Liher  
secundus.

second booke of due-  
ties to Marcus  
his sonne.

**Q**uemadmodum of-  
ficia ducerentur ab  
honestate Mar-  
ce fili, atque ab omni  
genere virtutis, satis ex-  
plicatum arbitror libro  
superiore. Sequitur vt  
hæc officiorum genera  
persequamur, quæ per-  
tinent ad vitæ cultum,  
& ad earum rerum, qui-  
bus vtuntur homines,  
facultatem, ad opes,  
ad copias. In quo tum  
quæri, dixi quid vti-  
le, quid inutile, tum ex  
vtilibus, quid vtilius,  
aut quid maxime vtile.  
De quibus dicere aggre-  
diar, si pauca prius de  
instituto, ac de iudicio  
meo dixerò.

Quanquam enim  
libri nostri complures  
non modo ad legēdū, sed

**A**fter what sort dueties  
should bee taken out of  
honesty, son Marke, and  
from enery kind of vertue: I  
suppose it sufficiently decla-  
red in my former booke. It  
followes, that wee go forward  
with these kindes of dueties  
which beelongs to power, to ri-  
ches, to the furniture of man-  
lyfe, and to the plentie of  
those thinges that men dooe  
occuppe, wherein I sayde,  
it is sought: both what is pro-  
fitable: what vnprofitable:  
and also of profitable thinges,  
which is the more profita-  
ble, or which the most vn-  
profitable. Of the which I  
wyl enter to speake, if I  
shall say a word or two bee-  
fore of my purpose and mea-  
ning.

For though our Bookes  
haue stirred vp many men to  
the

the studie not onely of a reading, but also of writing: yet otherwise I feare, least the name of Philosophie bee hateful to some good men: & that they maruayle, I beestow in it so much trauaile, and time.

In deepe as long as the common weale was gouerned by them, to whome shee had committed hir selfe, I dyd employ all my care and study vpon it. But when one man kept all in thys dome, and ther was no place at all for counsell and authoritie: and I besides had forgon my companions: of preseruing the state, who had beene singular men, neyther I gaue my selfe to grieues, wherewith I should haue beene wasted, vnlesse I had resisted them, nor agayne, to pleasures vnseemely for a learned man. And would god the common weale, had stood in the state where it began: & had not light vpon men, who were not so desirous of alteringe, as ouerthrowinge of things. For first, as wee were wont too dooe, when the common weale was standinge:

etiā ad scribēdi studiū excitauerint: tamē interdū vereor, ne quibusdā bonis viris philosophiē nomē sit inuisū: mirenturq; in ea tantum me operæ & temporis ponere.

Ego autem quamdiu Resp. per eos gerebatur, quibus se ipsa commiserat, omnes meas curas cogitationesque in eam conferebā. Cū autem dominatu vnius omnia tenerentur, neque esset vsquā consilio aut authoritati locus: socios deniq; tuendæ Reip. sommos viros amisissē: nec me angoribus dedi, quibus essem confectus nisi his restitissē: nec rursum indignis homine docto voluptatibus. Atque vtinam Respub. stetisset quo cæperat statu, nec in homines non tam commutandarum rerum quā euertendarum cupidos incidisset.

Primum enim, vt stante Respub. facere solebamus,

in



## de Officijs.

in agendo plus quam in scribendo opere ponere-mus: Deinde ipsis scrip-tis non ea quæ nunc, sed actiones nostras manda-remus, vt sæpe fecimus. Cùm autem Resp. in qua omnis mea cura, co-gitatio, opera poni so-lebat, nulla esset omni-no: illæ scilicet literæ omnino conticuèrunt forenses, & senatoriæ. Nihil autem agere cùm animus non posset, in ijs studijs ab initio ver-satus ætatis: existima-ui honestissimè mole-stias deponi posse, si me ad philosophiam retu-lissem.

Cui cùm multum a-dolescens discendi cau-sa temporis tribuissem postea quàm honoribus inservire cœpi, meque totum Reipublicæ tra-didi, tantum erat phi-losophiæ loci, quantum superfuerat amicorum & Reipublicæ tempo-ris. Id autem omne consumebatur in legēdo:

wee would take more labour in pleading, than in writing: afterward, in very writing we would not put the things that we do now, but our pleadings as we haue don diuers times.

But when the common wheale in which all my care, studie and trauaile was wont to bee bestowed, was none at all, verely those lawierly, and Senate house learning were husht.

But seeing my minde could not choose, but bee dooing: hauing bene occupied in those studies, from the beeginning of my young age: I thought sorowes might bee put awy most honestly if I returned my selfe to Philosophie.

Wherunto when beeing young I had geuen much tyme, to learne it, after that I beegan to attend honours, and bee-tooke my selfe whole to the common weale, so much lea-sures was left for Philosophie, as remayned of the ty-mes spent about my friends and the Common Weales causes. And that was all bestowed in readinge,  
for

for writing I had no time.

In our most miseries there-  
fore, wee seeme to haue gotten  
this so great a commoditie,  
that wee might put those mat-  
ters in writing: which were  
not sufficiently known to our  
men, and yet were most wor-  
thie of knowledge. For what  
is there in faith more wisly-  
full, than wisdom: what  
more excellent? what too a  
manne more worthe? what  
for a man more honorable?

They than, who dooe desire  
this be named Philosophers:  
neither is Philosophie sought  
else, if yee will tell the mea-  
ning of the word, but the  
study of wisdom. And wis-  
dome (as it is defined of au-  
rinent Philosophers) is the  
science of heavenly and world-  
ly things, and of the causes  
whereby these things bee up-  
holden. And who so dis-  
praiseth the studie thereof:  
I wot not verely, what there  
may bee that hee would deeme  
praise worthe, for whether the  
delighting of mind be sought  
and quieting of care: what  
may bee compared with they?

scribendi otium non erat  
Maximis igitur in ma-  
lis hoc tantum boni affe-  
cuti videmur: vt ea li-  
teris mandaremus, quæ  
nec satis erant nota no-  
stris, & erant cogniti-  
one dignissima.

Quid est enim, per  
deos, optabilius sapien-  
tia? quid præstantius?  
quid homini melius?  
quid homine dignius?  
Hanc igitur qui expe-  
tunt, philosophi nomi-  
nantur: nec quicquam a-  
liud est philosophia (si  
interpretari velis) quam  
studium sapientiæ.

Sapientia autem est (vt  
a veteribus philosophis  
definitum est) rerum di-  
uinarum & humana-  
rum, causarumque, qui-  
bus heres continentur,  
scientia: eius studium  
qui vituperat, haud sa-  
nè intelligo, quidnam  
sit, quod laudandum  
putet. Nam siue ob-  
lectatio queritur animi,  
requiesq; curarum, quæ  
conferri cum comuni  
K. studijs

## de Officijs.

studijs potest, qui semper aliquid inquirunt, qd' spectet, & valeat ad bene beateq; viuendum? Sine ratio constantie, virtutisq; queritur, aut hæc ars est, aut nulla omnino, per quam eas assequamur.

Nullam vero dicere maximarum rerum artem esse, cum minimarum sine arte nulla sit, hominum est parum considerate loquentium, atque in maximis rebus errantium. Si autem est aliqua disciplina virtutis: ubi ea quaeretur, cum ab hoc discendi genere discesseris? Sed hæc, cum ad philosophiam cohortamur, accuratius solent disputari: quod alio quodam libro fecimus. Hoc autem tempore tantum nobis declarandum fuit, cur orbati Reipub muneribus ad hoc nos studium potissimum contulissemus. Occurrit autem nobis & quidam doctis & eruditis, querentibus satis ne con-

studies, who alwaies gather somewhat that tendeth and auayleth well, and wealfully to lyue, or if the way of steady fastnesse & vertue bee sought epyther this is the arte or there is none at all, whereby wee may attayne them.

To vphold there is no art of the greatest things, seeing none of the least bee without art, it is a token of men speaking with small aduifement and erring in the greatest matters. But if there bee any science of vertue, where shall it bee sought, when you bee gone from this kinde of learning.

But these things are wont too bee more exactly discoursed, when wee exhort men to Philosophie, which in dedde wee haue doone, in another Booke.

But at this present, onely it was to bee declared of vs, why wee got vs chiefly to this studie when wee were bereft of our common wealthe offices. But it is gainsaid vs, and that of skilfull & learned men, demanding whether wee seeme to do constantly inough  
who



who although wee holde, that nothing can bee surely known: yet both wee are wont to dispute of other matters, and at this same tyme wee prosecute precepts of duetie.

To whome I would our opinions were well known. For wee are not they whose minde wandreth in error, and hath not at all what to follow. For what a minde shoulde this be, or rather a lyfe? Where the meane not onely of disputing, but also of living, is taken cleane away. But as other, who do say, some thinges bee certaine, some uncertaine: so wee dissenting from them, dooe say againe some thinges bee proouable, some unproouable.

What is there then, that should let mee to follow those thinges which to mee dooe seeme proouable? which contrariwise, to disprove, and to hopde the presumption of affirming: and to flye rashness, which disagreeth from wisdom most of all.

But by our men there is disputing against all things:

stanter facere videamur: qui cum percipi nihil posse dicamus, tamen & alijs de rebus disserere soleamus, & hoc ipso tempore præcepta officij persequamur. Quibus vellem satis cognita esset nostra sententia.

Non enim sumus ij, quorum vagetur animus errore, nec habeat unquam quid sequatur. Quæ enim esset ista mens, vel quæ vita potius, non solum disputandi, sed etiam viuendi ratione sublata? Nos autem vt cæteri, qui alia certa, alia incerta esse dicunt, sic ab his dissentientes, alia probabilia, contra alia non probabilia esse dicimus.

Quid est ergo, quod me impediatur, ea quæ mihi probabilia videantur sequi? quæ contra, improbare atque affirmandi arrogantiam vitantem, fugere temeritatem, quæ à sapientia disidet plurimum. Cōtrā autem omnia a disputantur à nostris,

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quod hoc ipsum probabile elucere non possit, nisi ex utraque parte causarum esset facta contentio. Sed hæc explanata sunt in Academicis nostris satis (ut arbitror) diligenter.

Tibi autem, mi Cicero, quanquam in antiquissima, nobilissimaque Philosophia, Cratippo authore versaris, his simillimo, qui ista præclara pepererunt: tamen hæc nostra finitima vestris, ignota esse nolui. Sed iam ad instituta pergamus.

Quinque igitur rationibus propositis officij persequendi, quarum duæ ad decus, honestatemque pertinent, duæ ad commoda vitæ, copias, opes, facultates: quinta, ad eligendi iudicium, si quando ea, quæ dixi, pugnare inter se viderentur: honestatis pars perfecta est: quam quidem tibi cupio esse

because this same thing that is profitable, cannot shine forth, except there should be a conference of reasons expressed by both sides. But these matters as I suppose, be diligently inough made plain in our Academies.

But although, my Cicero, you be exercised in the most auncient & most noble Philosophie. Cratippus being your author, a man full like unto those, who haue made these notable things, yet I would not these of ours, beie neere unto yours, to you shoulde be unknowne. But now let vs goe on to our purpose.

Seeing then five waies be set out of treating bypon dutie: whereof two doe pertaine vnto comelynesse and honestie: other two belong to the commodities of a mannes lyfe, to abundaunce, power, riches: the fift doth serue to the iudgement of choosing, if euer those which I spake of shoulde seeme to strue together: the part touching honestie

It is made an end of, which truly I desire to be very well known to you. But this whereof wee treat now, is the very same that is called profitable.

In the which tearme, custome failing, hath swarued out of the way, & by little and little is brought to this point, that it would seuer profitable from honest, and would make some thing honest, which should not bee profitable, and some thing profitable, which should not bee honest: then the which, no greater daunger could be brought to mans life. Philosophers surely of verie great authoritie dooe, grauely no doubt, and honestly, in imagination sunder these three confused kinds. For whatsoeuer is iust, they also iudge y same to be profitable: and likewise what so is honest, they take y sam: to be iust, wherof is concluded, y whatsoeuer is honest, the same is profitable. The which thing, who smally foresee, they oftentymes hauing in admiration subtle witted

notissimam. Hoc autem de quo nunc agimus, id ipsum est, quod vtile appellatur.

In quo verbo lapsa consuetudo deflexit de via, sensimque cōducta est, vt ab honesto vtile secerneret: & constitueret honestum esse aliquid, quod vtile non esset, & vtile quod non honestum: qua nulla pernicies maior hominum vitę potuit afferri.

Summa quidem auctoritate Philosophi, seuerè sanè, atque honestè, hæc tria genera confusa cogitatione distinguunt. Quicquid enim iustum sit, id vtile etiam esse censent, itemque, quod honestum, idem esse iustum. Ex quo efficitur, vt quicquid honestum sit, idem sit vtile. Quod qui parum perspiciunt, hi sepe versutos homines & callidos admirantes eorum militiam



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sapientiam iudicant.

Quorum error eripendus est : omnisque opinio ad eam speciem traducenda, vt honestis consilijs iustisque factis, non fraude & malitiose, intelligant, ea, quæ velint consequi posse.

Quæ ergo ad vitam hominum tuendam pertinent, partim sunt inanimata, vt aurum, argentum, vt ea, quæ gignuntur è terra, & alia eiusdem generis : partim animata, quæ habent suos impetus, & rerum appetitus. Eorum autem alia, rationis expertia sunt, alia ratione videntia. Expertes rationis, sunt equi, boues, & reliquæ pecudes, & apes, quarum opera efficitur aliquid ad hominum usum, atque vitam. Ratione autem videntium duo genera ponuntur, vnum deorum, alterum hominum. Deos placatos, pietas efficiet & sanctitas. Proximè autem & secundùm deos, homines homi-

and craftie, dooe repute their wilines for wis dome. Whose errour must bee taken away, and their whole opinion is from that to bee brought vnto this heap: that by honest counsell, and good deedes, not by guile and craftinesse, they vnderstand themselves in possibilitie to attaine such things, as they would.

Some things then which appertain to the maintenance of mans life, bee liuelesse : as gold and silver, as these which are gotten out of the earth, as other of the same sort: some be liuing, and feeling which haue their motions, and appetites to things. And some of them be voide of reason, some haue the vse of reason. Of those of reason bee horses, oxen, and other cattle, & Bees, by whose worke somewhat is made for mans vse and lyfe. But of those which haue vse of reason, two kindes there bee put : one of Gods, another of men. Deuotion & holinesse will make the Gods, fauourable. But next of all, & after the gods, men to men may bee most profitable.

And

And againe there is the same diuision of those things, which annoy and hurt. And because men dooe not thinck, the Gods dooe harme, these excepted, they suppose men to men to dooe most hurt, or profit.

For the most part of those same, which wee called liuelie bee the effects of mannes worke, neyther wee should haue them, except hand, and craft had beene put thereto: neyther without mennes seruice, wee should vse them. For neyther preservation of health, nor sailing, nor ground tilth, and trimming, nor the inning, and sawing of corne, and other fruits, without labour of men, could haue beene any at all. Now, mozeouer, both carryage out of those things wherewith wee were stored, and conueyance in of those which wee should neede, there could bee doubtlesse none, except men should dooe those offices. And in lyke manner, neither stones should bee hewed out of Quarries, necessarie to our vse,

nibus maximè viles esse possunt. Earumq; item, rerū quę nocēat & obsint, eadē diuīsiō est. Sed quia deos nocere non putant: his exceptis homines hominibus plurimū obesse vel prodesse arbitrat̃ur. Ea enim ipsa quę inanimata dixim⁹, pleraq; sunt hominum effecta opere, quę nec habueremus, nisi manus & ars accessissent, nec his sine hominum administratione vteremur. Neq; enim valetudinis curatio, neque nauigatio, neque agricultura, neque frugum, fructuūq; reliquorum pceptio & cōseruatio sine opera hominū vlla esset potuisset. Iam vero & earum rerum quibus abundaremus, exportatio & earum, quibus egeremus inuentio certe nulla esset, nisi his numeribus homines fungerentur. Eademque ratione, nec lapides exciderentur ē terra, ad vsum nostrum necessarij,

nec ferrum, æs, aurum, argentum effoderetur penitus abditum, sine hominum labore et manu. Tecta vero quibus & frigorū vis pelleretur, & calorū molestiæ sedarentur, vnde aut initio generi humano dari potuissent, aut postea subuenire, si aut vi tempestatis, aut terræmotu, aut vetustate cecidissent nisi communis vita ab hominibus harum rerum auxilia ptere didicisset.

Adde ductus aquarum deriuationes fluminum, agrorum irrigationes, moles appositæ fluctibus, portus manu factos, quæ non sine hominum opere habere possemus. Ex quibus omnibus multisq; alijs perspicuum est, qui fructus quæq; vtilitates ex rebus ijs, quæ sunt inanimatæ percipiuntur, eas nos nullo modo sine hominum manu atq; opera capere potuisse. Qui deniq; ex

neither Iron, Golde, Brasse, Siluer deepe hidden, could bee digged vp without the labour and hand of man. Houses also wherby both y<sup>e</sup> sharpnesse of colde might be defended, and the annoiance of heate might bee asswaged, from whence either at y<sup>e</sup> beginning, might they haue beene giuen to mankind, or after do case, if eyther by violence of tempest, or by earthquakes, or oldnesse they had gone to wrack, except common lyfe had learned of men to aske the aede for these things.

Adde heereunto conduits of water, turning of riuers, letting in water ouer grounds, Wharffes made agaynst streames, Hauens cast by hand: which without mennes worke wee might not haue. By all which, and many other things, it is euident, that by no meanes, without mannes hand and trauaile, wee could haue receiued the fruits and profits which bee gotten of those things, that bee inuestelle.

What fruits also of beasts,



or what commodities could there bee taken? but if men should help thereto. For euen they doubtlesse were men: who were the chiefe in deuising, what vse we might haue of each beast, nor at this season, without mennes seruice, might we eather keepe horses or breake them, or saue them, or of them take reasonable commodities: and by men also both those beasts bee killed, which dooe hurt, and those bee taken which maye dooe seruice.

What should I number by a heape of artes? Without which, mannes lyfe coulde haue beene none at all. For who should ease the sick? What delight shoulde there bee among the healthfull? What diet? What apparell? vnlesse so many artes should serue vs. With which things mannes lyfe beeing furnished, is beecome so farre different from the feeding, and coate of beasts.

Cities also, without the assembly of men, could neither bee builded nor peopled.

bestijs fructus, aut quæ commoditas, nisi homines adiuuarent, percipi posset? Nam & qui principes inueniendi fuerunt quem ex quaque bellua vsui habere possemus, homines certe fuerunt. Nec hoc tempore sine hominum opera, aut pascere eas, aut domare, aut tueri, aut tempestiuos fructus ex his capere possemus. Ab eisdemque & ea, quæ nocent interficiuntur, & quæ vsui possunt esse capiuntur. Quid enumerem artium multitudinem? sine quibus, vita hominis omnino nulla esse potuisset? Quis enim ægris subuenisset? quæ esset oblectatio valentium? qui victus aut cultus nisi tam multæ nobis artes ministrarentur? Quibus rebus exulta hominum vita tantum distat à victu & cultu bestiarum. Vrbes verò sine hominum cætu nō potuisset nec ædificari, nec frequen-

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tari. Ex quo leges mor-  
resque constituti, tum iu-  
ris æqua descriptio, cer-  
taque viuendi discipli-  
na, per quas bene bea-  
tèque viuitur. Quas res &  
mansuetudo animorum,  
consecuta, & verecun-  
dia est: effectumq; est,  
vt esset vita munitior, at-  
que vt dando & accipi-  
endo, permutandisque  
facultatibus & commo-  
dis nulla re egeremus.  
Longiores hoc loco su-  
mus, quam necesse est.

Quis est enim cui non  
perspicua sunt illa, quæ  
pluribus verbis a Pan-  
etio commemorantur?  
neminem neque ducem  
in bello, nec principem  
domi, magnas res & sa-  
lutares sine hominum  
studiis gerere potuisse.  
Commemorantur ab eo,  
Themistocles, Pericles,  
Cyrus, Agesilaus, Alex-  
ander, quos negat sine  
adiumentis hominum  
tantas res efficere potu-  
isse.

Vtitur in re non du-

Whereupon ordinaunces,  
and customes were made:  
also an indifferent setting out  
of law, and a sure rule to liue  
after: by which the life is led  
well and wealfully. Which  
things both the mildnesse of  
minde, and shamesfastnesse  
hath followed, and it is  
brought to passe, that our life  
shoulde bee the more safe-  
garded: and that by giuing  
and taking, and euterchaun-  
ging of goods and pleas-  
sures, wee should want no-  
thing.

Wee bee longer in this place  
then neede requirs. For who  
is hee, to whom those things  
are not manifest, which in  
more wordes bee recited of  
Panetius? neither any cap-  
taine in warre, nor Prince at  
home, coulde haue atchieued  
great feats, and auailable  
without mens indeauour.

Rehearsed of him is Themy-  
stocles, Pericles, Cyrus, A-  
gesilaus, Alexander: whome  
hee denied to haue beene able  
to compasse so great thinges  
wythout the ayde of men. In  
a matter no whit doubtfull,

hee

hee bſeth witneſſes no whittle  
neceſſarie.

And as wee obtaine great  
commodities, by the ſpke  
minde and conſent of men: ſo  
there is none ſo loathſome a  
peſtilence, which doth not  
grow to man by man.

There is a booke of Dice-  
archus vpon y death of men:  
who was a great Peripate-  
tike, and plentiful: and after  
the other cauſes gathered to-  
gether as, of water brakes, of  
peſtilence, of deſtruction, yea  
of the ſodaine flocking to-  
gether of beaſts, by whoſe vi-  
olence hee ſheweth how cer-  
taine kinds of men were con-  
ſumed: afterward hee makes  
compariſon, how manye moe  
men haue beene deſtroyed by  
mennes violence (that is) by  
war or rebellion, then by all  
other miſerie.

Seeing then this place  
hath no manner of doubt, but  
that men both profit and hurt  
men verie much: I point  
this to bee a proprietie of ver-  
tue to winne mens hearts to  
hir, and binde then to hir  
ble.

bia, teſtibus non neces-  
ſariis.

Atque vt magnas v-  
tilitates adipiſcitur con-  
ſpiratione ho num,  
atque conſenſu, ſic nul-  
la tam deteſtabilis peſtis  
eſt, quæ non homini ab  
homine naſcatur. Eſt Di-  
caſarchi liber de interitu  
hominum. Peripatetici  
magni, & copioſi: qui  
collectis ceteris cauſis  
eluuionis, peſtilentię, va-  
ſtitatis, belluarum etiam  
repentinæ multitudinis,  
quarum impetu docet  
quædam hominum ge-  
nera eſſe conſumpta.

Deinde comperat quan-  
tò plures deleti ſunt ho-  
mines hominum impetu,  
id eſt bellis aut ſeditio-  
nib⁹, quam omni reliqua  
calamitate. Cum igitur  
hic locus nihil habeat  
dubitationis, quin ho-  
mines plurimum homi-  
nibus & proſint & ob-  
ſint, proprium hoc ſta-  
tuo eſſe virtutis, concilia-  
re ſibi animos hominum  
et ad yſus ſuos adiungere

Itaq;



## de Officijs.

Itaque quæ in rebus in-animis, quæq; in usu & tractatione belluarum sunt vtiliter ad hominū vitam, artibus ea tribuuntur operosis. Hominum autem studia, ad amplificationem nostrarum rerum, prompta ac parata virorum præstantium sapientia & virtute excitantur. Etenim virtus omnis tribus in rebus ferè vertitur, quarum vna est in percipiendo quid in quaq; re verum sincerumq; sit, quid consentaneum, cuique quid consequens, ex quo quæ quæ gignantur: quæ cuiusque rei sit causa. Alterum cohibere motus animi turbatos, quos Græci Pathe, nominant: appetitionesque, quas illi Ormas, obediētes esse rationi.

Tertium ijs, quibus cum congregamur uti moderate & scienter: quorum studijs ea quæ natura desiderat, expleta,

Therefore what so in things liuelesse, and what so in the vse and occuppying of beasts, is done profitably to mannes lyfe, it is all appoynted to the laboursome trades.

But mennes good wylles, that bee prest and ready to the aduancement of our estate, bee stirred vp by the wisdom and vertue of excellent men.

For all vertue in a manner consisteth in three points. Wherof one is in throughsetting what in euerie thing is true and perfect, what agreeable to each thing, what is the sequeale, whereof all things grow, what is the cause of euerie thing. The other, to kepe in y trouble some moods of the minde, which the Greeke name Pathe, and to make the appetites, which they call Ormas, obedient vnto reason.

The third, to vse them soberly and skilfully, with whom wee be conuersaunt, by whose good willes, wee may, haue those things at all:  
and

and heaped, which nature desires yea, and by then, if any harme bee brought vpon vs, wee may it auoyde, and may bee wreaked of those, which haue gone about to hurt vs, & may paye them with so much punishment, as equitie and mans gentlenesse doth beare.

But by what meanes wee may attaine this power, that wee may compasse mens good wills, and retayne the same: wee shall say, and that, not long heereafter. But a few words are to bee sayde before.

That a great power ther is in fortune, on eyther side, eyther for welfare, or euill fare, who is ignorant? For both when wee inioye hir prosperous blast, wee are carried to our desired ends, and whē hir winde is tourned, wee are afflicted. This same fortune then hath other chaunces, which bee seldomer, first, that come from things liuelesse: as sea stormes, tempestes, shipwrackes, downefalles, burnings: then from Beastes, as stripes, bityngs, ouer-

cumulataq; hebeamus, per eisdemque si quid importetur nobis incommodi, propulsemus, vliciscamurq; eos, qui nocere nobis conati sunt, tantaque poena afficiamus, quanta aequitas, humanitasq; patitur.

Quibus autem rationibus hanc facultatem assequi possimus, vt hominum studia complectamur eaq; teneamus, dicemus, neque ita multo post: sed pauca ante dicenda sunt.

Magnam vim esse in fortuna in vtramque partem, vel ad secundas res vel aduersas quis ignorat? Nam & cum prospero flatu eius vtimur ad exitus peruehimur operatos: & cū reflauit, affligimur. Hæc igitur ipsa fortuna cæteros casus rariiores habet: primum ab inanimis, procellas, tempestates, naufrigia, ruinas, incendia, deinde ab istius ictus, morsus, impetus.

Hæc

## de Officijs.

Hæc igitur vt dixi rario-  
ra. At vero interitus ex-  
ercituum, vt proximè  
trium : sepe multorum  
clades imperatorum, vt  
nuper summi ac singu-  
laris viri, inuidiæ præte-  
rea multitudinis, atque  
ob cas, bene meritum  
sepe ciuium expulsio-  
nes, calamitates: fugæ.  
Rursusque secundæ res,  
honores, imperia, victo-  
riæ, quanquam fortuita  
sunt, tamen sine homi-  
num operibus & studi-  
is neutrá in patrem effici  
possunt. Hoc igitur cogni-  
to dicendû est, quo nam  
modo hominum studia  
ad vtilitates nostras al-  
licere atq; excitare pos-  
simus.

Quæ si longior fue-  
rit oratio, cum magni-  
tudine vtilitatis compa-  
retur. Ita fortasse etiam  
breuior videbitur. Quæ  
cunq; igitur homines  
homini tribuunt, ad eum  
augedum atq; honestadû

runninges. These therefore  
(as I sayd) bee seldomes.  
But the destruction of ar-  
mies, as a late of thre, often  
of mannes slaughter of cap-  
taines, as lately of a noble &  
singular man: the enuyings  
moreouer of the multitude: &  
by reason of the same, often  
times the hantiments, the  
miseries, the flyngs away  
of the well deseruing Citi-  
zens: and againe, prosperitie,  
honour, Emprye, victor, al-  
though they bee in fortunes  
hand: yet without mannes  
trauailes, & studies on neither  
side, they cannot bee brought  
to passe. This then knowe  
en: wee must declare by  
what meanes wee may al-  
lure and stirre by mens good  
wills to our profits. The  
which processe, if it bee some-  
what long, let it bee compa-  
red with the greatnesse of the  
profit: so perhappes euen  
somewhat too short it shall  
seeme. Whatsoeuer then men  
griue to a man, to enrich,  
and aduaunce him: eys  
ther



ether they doe it for good will, when for some cause they bear affection to any or else for honours sake, if they reuerence any mans vertue, and thinke him worthy of most fortunate estate: or in whom they haue a trust, and doe suppose them to prouide well for their matters or else whose power they feare, or contrarywise, of whom they looke after something, as when vsurpers and people pleasing men lay large gifts beefore them, or at last they bee led by meede, and reward. Which in Deede is the vilest way, and the foulest, both to them, who are caught wyth the same, and to those, who done seeke to haue refuge therebnto. For þe matter goeth not well, when the same that should bee wrought by vertue is attempted by money.

But because many tymes this help is necessarie, wee will tell how it ought too be blessed, if first wee shall haue spoken of those things which bee neerer to vertue.

And

aut beneuolentie grati faciant, cum aliqua de causa quempiam deligunt: aut honoris, si cuius virtutē suspiciunt, & si quōdignum fortuna quam amplissima putant: aut cui fidem habent, & bene rebus suis consulere arbitrantur: aut cuius opes metuant: aut contra a quibus aliquid expectant: vt cum reges popularesue homines largitiones aliquas proponunt: aut postremo pretio ac mercede ducuntur.

Quę sordidissima quidem est ratio & inquinatissima, & ijs, qui tenentur & illis qui ad eam confugere conantur. Malè enim se res habet cum qd' virtute effici debet, id tentatur pecunia. Sed quoniam non nunquā subsidiū hoc necessarium est, quemadmodū sit vt edum eo, dicem⁹, si prius ijs de rebus, quę virtuti propriiores sunt dixerimus.

Atque

## de Officijs.

Atque etiam subiiciunt  
se homines imperio alte-  
rius & potestati pluribus  
de causis. Ducuntur e-  
nim aut beneuolentia,  
aut beneficiorum mag-  
nitudine, aut dignita-  
tis præstantia, aut spe  
sibi id vtile futurum, aut  
metu, ne vi parere cogan-  
tur, aut spe largitionis,  
promissionisque capti,  
aut postremo, vt sepe  
in nostra Repub. vide-  
mus mercede conducti.  
Rerum autem omnium  
nec aptius est quicquam  
ad opes tuendas ac te-  
nendas quam deligi,  
nec alienius, quam ti-  
meri.

Præclare enim Ennius.

Quem metuunt ode-  
runt.

Quem quisque odit  
perisse expetit.

Multorum autem o-  
dijs nullas opes posse  
obstistere: si antea fuit  
ignotum, nuper est cog-  
nitum.

Nec vero huius tyranni  
solum, quæ armis oppressa

And likewise menne make  
themselves subiect to the rule  
and auctoritie of another for  
diuers causes.

For they bee led either with  
good will or greatnesse of be-  
nefits, or excellencie of ho-  
nour, or hope, if it all bee pro-  
fitable to them, or feare least  
by power they bee driven to  
yeeld: or as taken with hope  
of large gifts and promi-  
ses: or at least, as wee see  
often in our common weale,  
euen hypered for meede.

And certes of all things  
neither is there any fitter to  
maintayne a power then to  
bee loued, neither any vnfit-  
ter then to bee feared.

Notably sayth Ennius.

Whom they feare, him they  
hate alway the most:

Whom any man hateth, hee  
wissheth him lost.

But if afore it was be-  
knownen, since alate it is well  
knownen, that no power can  
withstand the hatred of ma-  
ny.

And truely not onely the death  
of this tyrant, whom the Citie  
being oppressed with force of  
armes

armes dyd suffer, doth declare how much the hatred of men preuailers to destruction: but the like ends of other Tyrants dooe shew as much, of whom scarcely any hath escaped the lyke death.

For feare is an euill keeper of continuance: and contrariwise, good will is faithfull, yea for euer. But let a roughnesse hardly bee vsed of them: who by rule do keepe straight such as bee brought vnder, by force, as of masters ouer seruants, if they cannot otherwise bee stayed.

But who in a free Citie so order them selues, that they bee feared, there can nothing possible bee made then they bee. For although the lawes bee sonke by some mannes might: although libertie bee all too shaken, yet at length they swimme out againe, eyther by secret iudgements, or by priuie voyces in auuncing to honour: & certesse the stinges of ceased libertie bee sharper, than of libertie continued. Lette vs then

pertulit ciuitas, interitus declarat, quantum odium hominum valet ad pestem: sed reliquorum similes exitus tyrannorum, quorum haud ferè quisquā talem interitū effugit. Malus enim custos diuturnitatis metus: contraque beneuolentia fidelis est, vel ad perpetuitatem. Sed ijs, qui vi oppressos imperio coercent, sit sanè adhibenda sœuitia, vt heris in famulos, si aliter teneri non possunt. Qui verò in libera ciuitate ita se instituunt, vt metuantur, his nihil potest esse dementius. Quamuis enim demersæ sint leges alicuius opibus, quamuis tremefacta libertas: emergunt tamen hæc aliquando aut iudicijs tacitis, aut occultis de honore suffragijs.

Acriores autem morsus sunt intermissæ libertatis, quàm retentæ. Quod igitur latissime



## de Officijs.

uissimè patet neq; ad incolumitatè solum, sed etià ad opes & potentiam valet plurimum, id amplectamur, vt metus absit, charitas retineatur.

Ita facillimè quæ volumus & priuatis in rebus & in Repub. consequemur. Etenim qui se metui volent, a quibus metuuntur, eosdem metuât ipsi necesse est. Quid enim censemus superiorè illum Dionysiu? quo cruciatu timoris angitur solitum, qui cultros metuens tonsorios candente carbone sibi adurebat capillum?

Quid? Alexandrū Pheræum, quo animo vixisse arbitremur? qui (vt scriptum legimus) cū vxorem Theben admodum diligeret: tamen ad canem ex epulis in cubiculum veniens, barbarum & eum quidem (vt scriptum est) compunctum notis Threicijs districto gladio iubebat ante ire:

embrace that, which most largely spreadeth, and most auayleth, not onely to safety, but also to welth and power: that feare bee banished, and loue retayned. So most easily wee shall obtaine what wee desire, both in priuate matters, & in the common welth. For who so will themselves to bee hadde in feare, it must needes bee, that they themselves feare those same, of whome they bee feared. For what thincke wee of the first Dionisius? with what torment of feare was he wont to bee troubled? who fearing the barbars razars, with a redde hotte cole singed of his owne Beard. What of Alexander the Pherasian: with what an hart, dooe wee suppose, hee lyued: who (as wee reede witten) when exceedingly hee loued his wyfe Thebe: yet comming too hir from banquetting into the Chamber, he commaunded a kerne, and him also (as it is witten) beeing prynced with Threacian Markes, too goe beforè with a drawne Sworde, and

and hee sent of his garde a-  
fore to ransacke the wo-  
mens coffers, and seeke that  
no weapon were hidden in  
theyr garments. O misera-  
ble man, who thought both  
a barne and a byron branded  
slave, faithfuller then his  
wyfe. And his opinion dyd  
not deceyue him, for by hir  
hee was slayne for a ialousie  
of spouse breach. And  
truelye there is no strength  
of Emperre so great, which  
wth suppressyng by feare,  
canne bee long continuing.  
Witnesse is Phaleris, whose  
crueltie is famed aboue o-  
thers, who perished not by  
traison as this Alexander did,  
whome euen now I spake  
of, nor by a few, as this our  
man, but agaynst him the  
whole commons of the Agre-  
guntines rose with violence.  
What the Macedonians, did  
they not forsake Demetri-  
us, and all whole got them  
to Pyrrhus. What the La-  
cedemonians rulinge un-  
rightfullpe? Dyde not  
welnygh all theyr league-  
friends sodeinly forsake them

premittebatq; de stipa-  
toribus suis, qui perseru-  
arentur arculas mulie-  
bres, et ne quod in vesti-  
mentis occultaretur te-  
lum, exquirere. O mi-  
serum, qui fidelio-rem,  
& barbarum & stigma-  
ticum putaret quam con-  
iugem. Nec eum fefellit  
opinio: ab ea est enim  
ipse ppter pellicatus su-  
spicionem interfectus.  
Nec vero vlla vis impe-  
rij tanta est, quę premēte  
metu possit esse diutur-  
na. Testis est Phaleris,  
cuius est pręter cęteros  
nobilitata crudelitas:  
qui non ex insidijs inte-  
riit, vt is, quę modo dixi,  
Alexander, non a pau-  
cis vt hic noster, sed in  
quę, vniuersa Agrigenti-  
norū multitudo imperū  
fecit. Quid Macedones?  
nonne Demetrium reli-  
querunt, vniuersiq; se  
ad Pyrrhum contule-  
runt? Quid Lacedemo-  
nios iniuste imperantes?  
nonne repente omnes  
ferē socij deseruerunt,

## de officijs.

ſpectatoresque ſe otioſos præbuerūt Leuctricæ calamitatis? Externa libentius in tali re quam domeſtica recordor.

Veruntamen quamdiu imperium populi Romani, beneficijs tenebatur, non iniurijs, bella aut pro ſocijs, aut de imperio gerebantur, exitus erant bellorum, aut mites, aut neceſſarij. Regum, populorum, nationum, portus erat & reſugium, Senatus. Noſtri autem magiſtratus, imperatoresq;, ex vna hac re maximam laudem capere ſtudebant, ſi prouincias, ſi ſocios æquitate, & fide defendiſſent. Itaq; illud patrociniū orbis terræ verius quam imperium poterat nominari. Senſim hanc conſuetudinem & diſciplinam iam antea minuebam⁹, poſt vero Syllæ victoriam penitus amiſimus. Deſitum eſt enim videre quicquam in ſocios iniquum, cum

and ſhewed themſelves idle lookers on of the ouerthrow of Leuctra? Forreine examples gladlyer the home deeds I reherſe, in ſuch a caſe. Neuertheleſſe as long as the Emperyre of the peccle of Rome was vpholden by worthy actes, not by wrong dooings, and Wars were made, either for defence of league friends, or for Empire, then were the endes of Wars, eyther mercifull, or neceſſarye, the Senate was the haven and refuge of Kings, of peoples, of nations. And our magiſtrats and Captaynes indeauoured to get great prayſe, by this onely meane, if Prouinces, if league friends, in right and truth, they had defended.

Therefore it might haue bene named the protection more truly then the Emperyre of the world. By little and little wee abated this cuſtome, and order, ſomewhat afore, but after Syllaes victory, utterly wee loſt it. For men ceaſed to account any thing vnreaſonable toward league friends, when ſo great cruelties



He was shewed euen against  
 Citizens. Therefore there fol-  
 lowed in him of an honest  
 quarrell an vn honest victory.  
 For when the salestasse was  
 pight, and in the market place  
 hee solde the goods both of  
 good men and rich, and those,  
 euen Citizens, he was so bold,  
 to say that he made sale of his  
 lawfull bootie. One succee-  
 ded, who in a wicked cause  
 and a more shamefull victorie  
 not onelye put the goods of  
 euerie one of the Citizens to  
 open sale, but in one state of  
 misery inwrapped whole pro-  
 uinces and regions, & so for-  
 rein nations being vexed and  
 vndone, we saw Massylia boyn  
 about in triumph for a shew  
 of our Empire lost, & triumph  
 made ouer the Citie, with-  
 out which our Captaines of  
 wars neuer got any triumph,  
 beyond the Alpes. I could  
 rehearse many more cursed  
 deeds beside, done against our  
 league friends, if the sonne  
 hadde seene ought more hap-  
 nous then this one Justitie  
 therfore are wee scourged: for  
 had wee not suffered þ wicked-

extitisset etiam in ciues  
 tanta crudelitas. Ergo in  
 illo secuta est honestam  
 causam non honesta vi-  
 ctoria. Est enim ausus  
 dicere hasta posita cum  
 bona in foro venderet,  
 & bonorum virorum &  
 locupletum, et certè ci-  
 uium, prædam se suam  
 vendere. Sequutus est,  
 qui in causa impia, victo-  
 ria etiam fœdiore, non  
 solum singulorum ciui-  
 um bona publicaret, sed  
 vniuersas quoque pro-  
 uincias, regionesque v-  
 no calamitatis genere  
 comprehenderet. Itaq;  
 vexatis, ac proditis exte-  
 ris nationibus, ad exem-  
 plū amissi imperij, por-  
 tari in triumpho Massi-  
 liam videmus, & ex ea vr-  
 be triumphari, sine qua  
 nunquam nostri impe-  
 ratores ex Transalpinis  
 bellis triumpharūt. Mul-  
 ta præterea commemo-  
 rarem nefaria in socios:  
 si hoc vno Sol quicquam  
 vidisset indignius. Iure  
 igitur plectimur. Nisi e-

## de Officijs.

nim multorum impunita scelera tulissemus, nunquam ad vnum tanta peruenisset licentia: a quo quidem rei familiaris ad paucos, cupiditatum, ad multos improbos venit hereditas. Nec verò vnquam bello rum ciuiliū semen & causa deerit, dum homines perditī hastam illam cruentam, & meminerint & sperabunt, quam P. Sylla cum vlrasset dictatore propinquo suo, idem sexto & tricesimo anno post, a sceleratiorē hasta eadem non recessit. Alter autem, qui in illa dictatura scriba fuerat, in hac fuit questor vrbānus. Ex quo debet intelligi, talib⁹ premijs propositis, nunquam defutura bella ciuilia. Itaque parietes vrbis modo stant & manent, ijque ipsi iam extrema scelera metuentes. Rem vero publicam penitus amisimus.

of many to bee vnpunished, such a lawlesse libertie had neuer come to the handes of one, from whome soothly the inheritaunce of his goodes came to few, but of his greedie desires to manye naughty men. Nor truely, the seede and cause of ciuill warres shall euer fayle, as long as mischieuous men shall both remember, and hope after that bloudie sale staffe, which when Publius Sylla hadde shaken, his nigh kinsman being Dictator, the same slept not once backe from the shaking of a like more mischieuous staffe, the sixt and thirtieth yeare after. But the other who in the Dictator had bene Secretarie, in this was Treasurer for the citie, where vpon ought to be vnderstood, that while such booties be laide afoze men, ciuill warres shall neuer want. And so, onely the walles of the Citie dooe stand and remaine, yea, & those same euen now dreading their last mischiefe, but y com mon weale wee haue vtterlye  
lost

lost. And into these destructions we are false (for we must returne to our purpose) while wee had rather to be feared, then to be deare and well beloved. If all this could befall to the people of Rome, ruling unrightfully, what ought every free man to think? which thing sith it is evident, that the power of good will is great, of feare, slender, it followes, that we make discourse by what meanes we may soonest with honour & uprightnesse attayne the love, which wee desire.

But all wee dooe not alike stand in neede of the same. For to the trading of each mannes life, it must be applied whether it be needfull, of many, or sufficient of few to be beloved. Let this therefore be certaine, as the thing which is both principall and most necessarie to have faithful familiarities of friends, loving vs, and highly esteeming our vertues. For this is the only meane indeed, that there be not much difference betweene great & meane men,

Atque in has clades incidimus (redeundum est enim ad propositum) dum metui, quam chari esse, & diligere maluimus. Quæ si populo Romano iniuste imperanti acciderent potuerunt, quid debent putare singuli.

Quod cum perspicuum sit benevolentiae vim esse magnam, metus imbecillum, sequitur ut differamus, quibus rebus facillime possumus eam, quam volumus, adipisci cum honore & fide charitatem. Sed ea non pariter omnes egemus.

Nam ad cuiusque vitam instituendam accommodandum est à multis ne opus sit, an satis sit à paucis diligere. Certum igitur hoc sit. Idque & primum & maxime necessarium familiaritates habere fidæ amantium nos amicorum, & nostra mirantium. Hæc enim est una res prorsus, ut non differat multum inter summos & mediocres viros



## de Officijs.

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Atque in has clades incidimus (redeundum est enim ad propositum) dum metui, quam chari esse, & diligere malimus. Quæ si populo Romano iniuste imperanti accideret potuerunt, quid debent putare singuli.

Quod cum perspicuum sit beneuolentiæ vim esse magnam, metus imbecillum, sequitur ut disceramus, quibus rebus facillime possumus eam, quam volumus, adipisci cum honore & fide charitatem. Sed ea non pariter omnes egemus.

Nam ad cuiusq; vitam instituendam accommodandum est à multis ne opus sit, an satis sit à paucis diligere. Certum igitur hoc sit. Idque & primum & maxime necessarium familiaritates habere fidæ amantium nos amicorum, & nostra mirantium. Hæc enim est vna res prorsus, ut non differat multum inter summos & mediocres viros

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eaque est vtrique prope modum comparanda. Honore, & gloria, & beneuolentia ciuium fortasse non æque omnes egēt: sed tamen si cui hæc suppetunt, adiuuāt aliquantum cum ad cetera, tum ad amicitias comparandas. Sed de amicitia alio libro dictum est, qui inscribitur Lælius. Nunc dicam<sup>9</sup> de gloria, quam ea quoque de re nostri libri duo sunt.

Sed attingamus, quando quidem ea in rebus maioribus administrandis adiuuat plurimum.

Summa igitur & perfecta gloria constat ex tribus his. Si diligit multitudo, si fidem habet, si cum admiratione quadam honore nos dignos putat. Hæc autem (si est simpliciter breuiterque dicendum) quibus rebus pariuntur à singulis, eisdem ferè à multitudine. Sed est alius quoque quidam aditus ad multitudinem, vt in v-

and it must bee procured, in a manner of them both. Not all perchaunce dooe stand in lyke need of honour and glory, and citizens good wills: but yet who so hath them, they further somewhat both to other things, and also to the purchasing of friendships. But of friendship wee haue spoken in the booke which is intituled Lælius. Now let vs speak of glory, though of that matter also ther bee two books of ours, yet let vs touch it, because the same auaieth much in executing of greater matters.

The highest therefore and perfect glory standeth of these three, if the multitude fauour vs, if they haue a trust in vs, if with a certaine admiration they compt vs worthy of honour. And if wee must speake it plainly & brieely as these bee gotten at the hands of euery free man, by the same meanes in a manner they bee obtained of the multitude.

But there is also a certayne other enteraunce into the multitude, that wee may



(as pee would say) flow in-  
to the hearts of the whole.

And first let vs see thouching  
those thre, which beefore  
I called the preceptes of  
good will, the which no doubt  
is caught most of all by be-  
nefits. And secondarily, good  
will is allured by a well wil-  
ling minde, although perhaps  
abilitie sufficeth not. But  
wonderouslye the loue of the  
multitude is all to stirred  
with the fame, and opinion  
of liberalitie, bounteousnesse,  
iustice, faithfulnessie, and of all  
those vertues, which apper-  
taine to the mildnesse of man-  
ners and gentlenesse. For the  
verie same, which wee name  
comely and honest, because of  
it selfe it lyketh vs, and with  
his owne nature and beautie  
mooueth all our mindes, and  
principally shineth (as it wer)  
out of those vertues, which  
I haue rehearsed, therefore  
by verie nature wee are in-  
forced to fauour them, in  
whome wee thincke those  
vertues to bee. And these  
berelye bee, the weyghy-  
est causes of fauouring,

niuerforum animos tan-  
quam influere possimus.  
Ac primum de illis tri-  
bus, quæ ante dixi, be-  
neuolentiæ præcepta vi-  
deamus, quæ quidem  
beneficijs capitur maxi-  
mè. Secundo autem lo-  
co benefica voluntate  
beneuolentia mouetur,  
etiam si res forte non  
suppetit. Vehementer  
autem amor multitudi-  
nis commouetur ipsa fa-  
ma & opinione libera-  
litis, beneficentiæ, iu-  
stitiæ, fidei, omniumque  
earum virtutum, quæ per-  
tinent ad mansuetudi-  
nem morum, ac facilita-  
tem. Etenim illud ipsum,  
quod decorum, honestumque;  
dicimus, quia per se no-  
bis placet, animosque om-  
nium natura & specie  
sua comouet, maximeque;  
quasi perlucet ex ijs,  
quas commemorauimus vir-  
tutibus: idcirco illos, in  
quibus eas virtutes esse  
remur, à natura ipsa di-  
ligere cogimur. Atque  
hæ quidem causæ sunt  
L.v.                      diligen-

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diligendi grauissimę. Pos-  
sunt enim præterea non  
nullę esse leuiore. Fides  
autem vt habeatur, du-  
abus rebus effici potest:  
si existimabimur adepti  
coniunctam cum iusti-  
tia prudentiam. Nam et  
ijs fidem habemus, quos  
plus intelligere quam  
nos arbitramur: quos-  
que & futura prospice-  
re credimus & cum res  
agatur, in discrimenque  
ventum sit, expedire rem,  
& consilium ex tempo-  
re capere posse. Hanc e-  
nim omnes existimant,  
vtilem veramq; pruden-  
tiam. Iustis autem & fi-  
dis hominibus, id est vi-  
ris bonis ite fides habe-  
tur, vt nulla sit in his,  
fraudis, iniuręq; suspi-  
cio. Itaq; his salutem no-  
stram, his fortunas, his li-  
beros rectissime cõmitti  
arbitramur. Harum igitur  
duarum, ad fidem facien-  
dam, iustitia plus pollet.  
Quippe cum ea sine pru-  
dētia satis habeat autho-  
ritatis: prudentia sine iu-

there may be beside. But that  
a trust may bee had in vs, by  
two things it may be brought  
to passe: if we shall be thought  
to haue attained prudence ioy-  
ned with iustice. For both to  
them wee haue a trust, whome  
wee suppose to vnderstande  
more then our selues: and also  
to them who wee beleeue, bee-  
able both to foresee things  
to come, and also to dispatch  
thy businesse, and forthwith  
to take counsaile when the  
matter is in hand, and stands  
in hazard. For all men doe  
iudge this the profitable  
and true prudence. But in  
such wise credite is giuen to  
iust and trustie men (that is)  
to good men: that in them  
there is no suspicion of de-  
ceit and iniurie. Therefore to  
these our lyfe, to these our  
goods, to these our children,  
wee suppose verie well to bee  
committed. Of these two  
then iustice is of more pow-  
er to winne a credit, because  
it without prudence hath  
sufficient authoritie, prudence  
without iustice is nothing  
wothy to get credit. For the  
sub-

subtiller and the craftier that a man is, so much the more he is hated and suspected, when the opinion of his honestie is pulled away. Wherefore iustice toynd with vnderstanding, shall haue as much power as it lyst to purchase credit, iustice without prudence shall bee of much power, prudence without iustice shall bee nothing worth. But least some man haue meruaile, seeing amongst all philosophers it is plain, and by my selfe disputed often: him that should haue one vertue, to haue all the vertues: why I doe now consider them so, as though there may any man bee iust, which same is not prudent, of one sort is that subtilnesse, when very trouth is leuelled in disputation, and of another sort, is that talke, when it is all applied to the common opinion, wherefore wee speake so in this place as the common sort dooe, & wee call some one sort manly, some other good men, some other prudent. For with the peoples words and vsuall termes we must treat

iustitia nihil valet ad faciendam fidem. Quo enim qui versutior & callidior est, hoc inuicior, & suspectior detracta opinione prohibetis. Quamobrem intelligentie iustitia coniuncta quantum volet, habebit ad faciendam fidem, virium. Iustitia sine prudentia multum poterit, sine iustitia nihil valebit prudentia. Sed ne quis sit admiratus, cur cum inter omnes philosophos constet, a meque ipso sepe disputatum sit, qui vnam haberet, omnes habere virtutes: nunc ita sciungam quasi possit quisquam qui non idem prudens sit, iustus esse. Alia est illa, cum veritas ipsa limatur, in disputatione subtilitas, alia cum ad opinionem communem omnis accommodatur oratio. Quamobrem ut vulgus, ita nos hoc loco loquimur, ut alios fortes, alios bonos viros, alios prudentes esse dicamus. Popularibus enim verbis est agendum & visitatis, cum



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cum loquimur de opinione populari: idq; eodem modo fecit Panætius. Sed ad propositum reuertamur. Erat igitur ex tribus, quæ ad gloriam pertinebant, hoc tertium, ut cum admiratione hominum honore ab his digni iudicaremur. Admirantur igitur cõmuniter illi quidẽ omnia, quæ magna & præter opinionem suam animaduertunt, separatim autem in singulis si perspiciunt, nec opinata quædam bona. Itaq; eos viros suspiciunt, maximisque efferunt laudibus, in quibus existimant se excellentes quasdam & singulares virtutes perspicere. Despiciunt autẽ eos & contemnunt, in quibus nihil virtutis, nihil animi, nihil neruorum putant. Non enim omnes eos contemnunt, de quibus male existimant. Nam quos improbos, maledicos, fraudulentos putant, & ad faciendam iniuriã instructos, eos haud contem-

when wee speake of the common peoples opinion, & that did Panætius after the same sort. But to the purpose let vs retourne.

Of the three therefore which should appertaine to glorie, this was the third, & with admiration of men wee might by them bee thought worthe of honour. Generally then they haue in admiration doubtlesse all things, which they haue noted to bee great, and beyond theiꝝ weening, and seuerally in euery free man, if they perfectly see good things vnlooked for. Therefore they honour these men, and with highest praises set them aloft: in whõ they think themselues to behold certaine passing and singular vertues. But those they despise and set at naught: in whome no vertue, no courage, no strength they iudge. For all men doe not despise them of whome they thincke euill. For whom they deeme dishonest, misreports, guilefull, and readie framed to dooe wrong, those they despise not certes, but

but of them they thincke euill, wherefoze (as I sayde afoze) they bee despised, who neyther to themselves nor to o- ther dooe good, as they say, in whom there is no painfull- nesse, no diligence, no caring, but they bee reuerenced with a certayne admiration, who are thought to goe befoze others in vertue, and to bee without both all vnseemelynesse, and also those vices, which other cannot easly withstand, for both pleasures, full flattering dames, dooe oftentimes wrest the greater part of the minde from vertue, and also when the brands of paines bee layd vnto them, most men beyond measure bee all to fraid. Life, death, riches, pouertie, most mightely mooue all men.

Which things who so on eyther side, with a loftie and great courage doe despise, and when befoze them is offered any goodlye, and honest thing, it turneth and haleth them whole to it selfe, then who doth not meruaile at the brightnesse and beautye of vertue: Therefore both this

nunt quidem, sed de his malè existimant. Quàob- rem (vt ante dixi contem- nūtur ij, qui nec sibi, nec alteri p̄sunt (vt dicitur) in quibus nullus labor, nulla industria, nulla cu- ra est. Admiratione qua- dā verò afficiuntur ij, qui anteire cæteris virtute putantur: & cum omni carere dedecore, tum ve- rò ijs vitijs, quibus alij non facile possunt obsi- sterc. Nam & volupta- tes blandissimę domine- scēpe maiores partes ani- mi à virtute detorquent, & dolorum cum admo- uentur faces præter mo- dum pleriq; exteren- tur. Vita, mors, deuitiæ, paupertas omnes homi- nes vehementissimè per- mouent. Quæ qui in v- tranque partem excel- so animo, magnoq; des- piciunt, cumque aliqua his ampla & honesta res obiecta est, totos ad se conuertit, & rapit: tum quis non admire- tur splendorum. Pul- chri-

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eritudinemq; virtutis? Er  
go & hæc animi dispici-  
entia admirabilitatem  
magnam facit, & maxi-  
mè iustitia, ex qua vna  
virtute viri boni appel-  
lantur, mirifica quædam  
res multitudini videtur:  
nec iniuria. Nemo e-  
nim iustus esse potest,  
qui mortem, qui dolo-  
rem, qui exilium, qui o-  
gestatem timet, aut qui  
ea, que his sunt contra-  
ria, æquitati anteponit.  
Maximèq; admirantur  
eum, qui pecunia non mo-  
uetur: quod in quo viro  
perspectum sit, hunc dig-  
num spectatu arbitrantur  
Itaq; illa tria, quæ pposita  
sunt ad gloriã, omnia iusti-  
tia conficit & beneuolẽ-  
tiam, q̃ pdesse vult pluri-  
mis, & ob eandem causã  
fidem: & admirationem  
quod eas res spernit &  
negligit, ad quas pleriq;  
inflammatauiditate rapi-  
untur. Ac mea quidem sē-  
tentia, omnis ratio & in-  
stitutio vitę adiumenta  
hominũ desiderat. Inpri-  
misq; vt habeas, quibus

despyſyng mynde causeth a  
great wondering, and specials-  
ly iustice, of which vertue a-  
lone good men bee named, see-  
meth to the multitude a wou-  
derfull thing, and not without  
cause. For none can bee iust  
who dreadeth death, payne,  
bannishment, or pouertie, ne-  
anie that beefore equitie pre-  
ferreth the contraries. And  
most of al they wonder at him  
who is not tempted with mo-  
ney, and in what man that is  
well tryed, him thincke they  
worthy to bee regarded.

Therefore iustice doth worke  
all these thre, which bee poin-  
ted out for glorie, and gettes  
good wyll also, beecaue it  
meanes to profit verie many,  
and for the same cause it wor-  
keth credit likewise, and ad-  
miration, beecaue it despiseth  
and naught regardeth those  
things, wherebnto most men  
inkindled with greedinesse, be  
haled. And surely after my  
iudgement, euerie trade and  
order of lyfe requyrez the  
aids of men: and chieflly, that  
ye haue some, with whom you  
may debate in familiar talke:  
which



which is harde vnlesse yee  
 beare vpon you the shew of  
 an honest manne. Therefore  
 opinion of iustice is necessa-  
 ry euen to the alone lyuer  
 and one that leades his life  
 in the fieldes, yea and so much  
 the more, because if they haue  
 it not, vniust they shall be  
 compted, and beeing garded  
 with no defence, shal bee vexed  
 with many iniuries. And to  
 these also, who dooe sell, buy,  
 hyre, lette, and bee entang-  
 led in bargaining businesse,  
 iustice too goe thorow with  
 theyr matters, is necessarie  
 whose power is so great:  
 that euen they, who bee fed  
 with euill dooeing, and mys-  
 chiefe, canne not possible liue  
 without some parcell of Ius-  
 tice.

For who stealeth, or pry-  
 uily picketh any thing from  
 any of them, with whom hee  
 goeth a theeuing, hee leaueth  
 not himselfe a place, no not  
 in robberie. And vnlesse hee,  
 who is named the archepi-  
 rate, deuyde the pryse equal-  
 ly, either hee shall bee slaine  
 of his mates, or else forsaken.

cum possis familiares cō-  
 ferre sermones: quod est  
 difficile, nisi speciem prę-  
 te boni viri faras. Ergo  
 etiam solitario homini,  
 atque in agro vitam a-  
 genti opinio iustitię ne-  
 cessaria est, eoque etiam  
 magis, qd' si eam non  
 habebunt, iniusti habe-  
 buntur: & nullis pręsi-  
 dijs septi multis afficien-  
 tur iniurijs. Atque his  
 etiam, qui vendunt, e-  
 munt, conducunt, locant  
 contrahendisque nego-  
 tijs implicantur, iusticia  
 ad rem gerendam neces-  
 saria est. Cuius tanta  
 vis est, vt nec illi qui-  
 dem, qui maleficio &  
 scelere pascuntur, pos-  
 sint sine vlla particula  
 iusticię viuere. Nam  
 qui eorum cuipiam qui  
 vnā latrocinantur, fura-  
 tur aliquid aut eripit, is  
 sibi ne in latrocinio qui-  
 dē relinquit locū. Ille au-  
 tē, qui archipirata dicitur  
 nisi equabiliter prędā dis-  
 pertiat, aut occidetur ā  
 socijs, aut relinquetur.  
 Quin

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Quin etiā leges latronū esse dicuntur, quibus pareant, quas obseruent. Itaꝑ; propter æquabilem prædæ partitionem & Burgulus Illyricus latro (de quo est apud Theopompum) magnas opes habuit: & multo maiores Viriatus Lusitanus, cui quidem etiā exercitus nostri, imperatoresque cesserunt: quem C. Lælius, is qui sapiens vsurpatur, prætor fregit, & comminuit, fœrocitatemq; eius ita repressit, vt facile bellum reliquis traderet.

Cū igitur tanta vis iustitiæ sit, vt ea etiam latronum opes firmet, atque augeat: quantam eius vim inter leges, & iudicia, & instituta Reipub. fore putamus? Mihi quidem non apud Medos solum (vt ait Herodotus) sed etiam apud maiores nostros iustitiæ seruandæ causa videntur olim bene morati reges constituti:

Yes and it is sayd there are lawes among thecues, whereto they obey, and dooe obserue them. And so by reason of the euen portioning of the prise, both Wargulus, the Illirian robber, of whome mention was made in Theopompus had great rycheesse: and much greater had Viriatus the Lusitane, to whome of trouth euen our armyes, and Captaynes gaue place, whome Caius Lælius, hee that was commonly called the wise, beeing Prætor, dyd delectomit, and abate, & so alayd his fiercenesse, that hee left an easie warre to other. Seeing then the strength of Justice is so great: that it also stablisheth and encreased robbers riches, how great suppose wee the power therof to be among lawes and iudgements, and ordinaunces of a Common weale? Certesse mee thincke, not onely among the Medes (as telleth Herodotus) but also among our auncesters, in olde tyme, well condicioned Kings haue beene ordeyned, for y end of enioying Justice.

For at the heeginning, when the multitude was oppressed by them, who had the greater power: for refuge they fledde to some one excelling in vertue, who when hee saved the weaker from iniury, by painting out an equitie, kept the highest with the lowest in difference of law.

And the lyke cause there was of making lawes, as of things: for evermore an egal right hath beene sought, for otherwise it were not a right.

If they obtained the same at the hands of one iust, and good manne, with him they were contented: when that chaunced not, lawes were deuised: which with all men alwayes in one, and a lyke voyce should speake.

Wherefore this is doubtlesse a cleere case: that they were wont to bee chosen to gouerne: of whose iustice the oppinion of the multitude was great.

And this there to adioyned, that they also might bee compted wyse: there

Nam cum premeretur initio multitudo ab ijs, qui maiores opes habebant, ad vnum aliquem confugiebant virtute prestantem, qui cum prohiberet iniuria tenuiores, aequitate constituenda, summos cum infimis pari iure retinebat.

Eademque constitutendarum legum fuit causa, quæ regum. Ius enim semper est questitum æquabile: neque enim aliter esset ius.

Id si ab vno bono & iusto viro consequerentur: eo erant contenti: Cum id minus contingeret: leges sunt inuentæ, quæ cum omnibus semper vna atque eadem voce loquerentur. Ergo hoc quidem perspicuum est, eos ad imperandum deligi solitos, quorum de iustitia magna esset opinio multitudines.

Adiuncto vero hoc, vt ijdem etiam pruden-

M.

tes



## de Officijs.

tes haberentur : nihil erat qd' homines his auctoribus non posse consequi se arbitrarentur.

Omni igitur ratione collenda & retinenda iustitia est, tum ipsa propter se (nam aliter iustitia non esset) tum propter amplificationem honoris & gloriæ. Sed ut pecuniæ non querendæ solum ratio est, verum etiam collocandæ, quæ perpetuos sumptus supeditat, nec solum necessarios, sed etiam liberales : sic gloria & querenda & collocanda ratio est. Quanquam præclare Socrates, hanc viam ad gloriam proximam & quasi compendiariam decebat esse, si quis id ageret, ut qualis haberi vellet, talis esset. Quod si qui simulatione, & inani ostentatione & ficto non modo sermone, sed etiam vultu stabilem se gloriam consequi posserentur, vehementer errant.

was nothing, that men vnder those guydes should weene themselues vnable too attayne.

Justice therefore is by all manner meanes to bee regarded, and mayntained : both it for it selfe sake ( for else it were not Justice ) and also for the enlargement of honour and glorie.

But as there is a way not onely of getting money, but also of beestowing it, which may suffice for continual charges, not onely such as bee necessary, but also liberal, so glorie must bee both gotten, and ordered by a meane.

Notwithstanding notable Socrates dyd say, this to bee the nearest, and (as it were) the gaine way to glorie, if a man would endeavour this, to bee in deepe such as hee would bee compared.

And if any doe deeme themselves able to attayne stedfast glorie, by false pretence, and vaine outshew, both with fained speach and countenaunce, they bee far out of the way.

The

The true glorie taketh deepe roote, and also shootes abroad: all counterfeit things dooe soone shedde, as dooe the lyttle flowers, neyther canne there any forged thing bee durable. Witnesse verie many there bee on both sides: but for shortnesse sake, wee will bee contented with one family.

For Tiberius Gracchus, Publius sonne, so long shall bee praised, as remembraunce of the Roman state shall stand.

But his sonnes neyther lyving were lyked of good men, and dyd goe in the number of men ryghtfully put to death. Let them then who so the true glorie will attayne, performe the duties of iustice. What those were, it was told in the former booke. But to the end, that soone you may seme such manner men as wee bee, although the greatest effect is euen in this poynt that wee bee such, as wee woulde bee counted: yet certaine precepts are to bee giuen.

Vera gloria radices agit, atque etiam propagatur: ficta omnia celerriter, tanquam flosculi decidunt: nec simulatum potest quicquā esse diuturnum. Testes sunt permulti in vtrunque partem, sed breuitatis causa, familia contenti erimus vna.

Tiberius enim Gracchus Publij filius, tam diu laudabitur, dum memoria rerum Romanarum manebit. At eius filij nec viui probabantur à bonis, & mortui numerum obtinent iure caesorum. Qui igitur adipisci veram iustitiæ gloriam volunt, iustitiæ fungantur officijs. Ea quæ essent, dictum est in superiore lib. Sed vt facilius quales simus, tales esse videamur ( & si in eo ipso vis maxima est, vt simus ij, qui haberi velimus ) tamen quedam præcepta danda sunt.

M.ij.

Nam

## de officijs.

Nam si quis ab ineunte ætate habet causam celebritatis et nominis aut a patre acceptam (qd' tibi mi Cicero arbitror contigisse) aut aliquo casu atq; fortuna: in hunc oculi omnium conijciuntur, atque in eo quid agat, quemadmodum viuatur, inquiritur & tanquam in clarissima luce versetur, ita nullum obscurum potest nec dictum eius esse, nec factum. Quorum autem prima ætas propter humilitatem & obscuritatem, in hominum ignoratione versatur: hi simul ac iuvenes esse coeperunt, magna spectare, & ad ea rectis studijs debent contendere. Quod eo firmiore animo facient, quia non modo non inuidetur illi ætati, verum etiam fauetur. Prima igitur est adolescenti commendatio ad gloriam, si qua ex bellicis rebus comparari potest, in qua multi apud maiores no-

For if any from his first entered age hath cause of name and fame, either receiued of his father, which to you, my Cicero, I suppose to haue happened, or by any chaunce and fortune: on him all mens eyes are cast, and of him there is searching what he doth, and how hee liueth: and so as though hee should lead his life in most open light, neither word nor deeде of his can bee unknownen.

But whose first age is passed without mens knowledge by reason of basenesse and unknown name: these, as soone as they beeginne to bee young men, ought to looke after great things, and to pzease vnto the same with direct studies.

Which they shall dooe with so much the better courage, because age is not onely not enuied, but also fauoured. The chiefe setting forth then for a young man to glory in, if any praise may bee gotten by feats of armes: wherein many haue shewed themselves among our auncestors, for warres were almost con-



usually kept. But your age  
chaunced vppon that warre:  
where the one side hadde too  
much mischiefe, the other lit-  
tle good fortune. In which  
warre yet, when Pompeius  
had made you captain of the  
one wing: both of a man most  
noble, and of the army, you  
got great praise with riding,  
with throwing the dart, and  
sussepning all things with a  
souldierlike p'nsulnesse.

And verily that your praise  
and the common weale fel to-  
gether. But of mee this trea-  
tise is not taken in hand,  
touching you, but touching  
the whole generalitie. Where-  
fore let vs goe forwarde to  
such thinges as dooe re-  
mayne.

And then in other matters,  
the works of the minde bee  
much more, then of the bo-  
die: so those things which  
with wit and reason wee goe  
through, bee of more grace,  
then those which wee do with  
Strength.

The first commendati-  
on then porceedeth of sober  
moods: the next, of naturall

stros extiterunt. Semper  
enim ferè bella gereban-  
tur. Tua autem ætas in-  
cidit in id bellum, cuius  
altera pars sceleris ni-  
mium habuit, altera foe-  
licitatis parum. Quo ta-  
men in bello cum te Põ-  
peius alæ alteri præfecis-  
set, magnam laudem et  
à summo viro & ab ex-  
ercitu consequere e-  
quitando, iaculando,  
omniaq; militari labo-  
re tolerando. Atque ca-  
quidem tua laus pariter  
cum Repub. cecidit. Mi-  
hi autem hæc oratio sus-  
cepta non de te est, sed  
de genere toto. Quam-  
obrem ad ea, quæ restant  
pergamus.

Vt igitur in reliquis  
rebus multa maiora sunt  
opera animi, quàm cor-  
poris, sic hæres quas  
persequimur ingenio ac-  
ratione, gratiores sunt  
quam illæ, quas viribus.  
Prima igitur commen-  
datio, proficiscitur à  
modestia, cum pietate  
M.ij. in

## de Officijs.

in parentes, tum in suos beneuolentia.

Facillimè autem & in optimam partem cognoscuntur adolescentes qui se ad claros & sapientes viros bene consulentes reip. contulerunt: quibus cum si frequentes sunt, opinionem asserunt populo, eorum fore se similes, quos sibi ipsi deligerunt ad imitandum. Publij Rutilij adolescentiam ad opinionem, & innocentie, & iuris scientie. P. Murtij commendauit domus.

Nam Lucius quidem Crassus, cum esset admodum adolescens, non aliunde mutuatus est: sed sibi ipse peperit maximam laudem ex illa accusatione nobili & gloriosa.

Et qua ætate qui exercentur, laudibus affici solent (vt Demosthenem accepimus) ea ætate Lucius Crassus ostendit, id se in foro

duetie toward parents: the thirde of good will toward theys.

But to the best commendation young men be known soonest of all, who haue bestowed themselves wth noble and wise men, well commending the common weale: on whom if they bee attendant, they bring the people in beeleeue, that they will prooue lyke them, whome they haue chosen themselves to follow. Publius Murtius house dyd set out Publius Rutilius youth state, for opinion both of harmelesse lyfe, and of knowledge in the law.

For as for Lucius Crassus, when hee was a verie young man, hee borrowed not from anye other place, but wanne himselfe a verie great praise by that noble and glorious accusation.

And in which age they, who haue exercises, are wont to be aduanced with praise, as we haue heard by Demosthenes: in the same age Lucius Crassus did shew himselfe in  
open

open court, to dooe that verie well, hauing forestudied: which euen then at home with praise hee might haue exercised.

But whereas there be two sorts of speech, whereof in the one is familiar talke, in the other vehemence: it is no doubt, but the vehemence of speech may dooe most, and hath the greater furtherance to glorie.

For that is the thing which wee dooe call eloquence: but yet it is hard to tel how much a gentlenesse and familiarness of speech winneth mennes mindes.

There bee letters abroad of Philippus to Alexander, and of Antipater to Cassander, and of Antigonus to Philippus, three very wise men) for so wee haue hearde, in which they giue rules, that with gentle speech they allure the hearts of the multitude, to owe their good will, and that they please their soldiers, by speaking to them with fayre words.

optimè iam præmeditatum facere, quod etiam tum poterat domesticum laude meditari.

Sed cum duplex ratio sit orationis, quarum in altera sit sermo, in altera contentio, non est id quidem dubium, quin contentio orationis plurimum possit, & maiorem vim habeat ad gloriam. Ea est enim, quam eloquentiam dicimus. Sed tamen difficile dictu est, quantum opere conciliet animos hominum comitas, affabilitasque sermonis.

Extant epistolæ & Philippi ad Alexandrum, & Antipatri ad Cassandrum, & Antigoni ad Philippum filium, trium prudentissimorum, (sic enim accepimus) quibus præcipiunt ut oratione benigna multitudinis animos ad beneuolentiam alliciant: militesq; blando appellando sermone deliniant.

M.iiii.

Quæ



## de Officijs.

Quæ autem in multitudine cum contentione habetur oratio, ea sæpe vniuersam excitat gloriam. Magna est enim admiratio copiose sapienterque dicentis, quem qui audiunt, intelligere etiam & sapere plus quàm cæteros arbitrantur. Si vero inest in oratione mixta modestiæ gravitas, nil admirabilius fieri potest, eoque magis, si ea sunt in adolescente. Sed cum sint plurima causarum genera, quæ eloquentiam desiderat, multique in nostra Republica adolescentes, & apud iudices & apud Senatum dicendo, laudem assequuti sunt: maxima est admiratio in iudicijs. Quorum ratio duplex est. Nam ex accusatione & defensione constat, quarum etsi laudabilior est defensio, tamen etiam accusatio probata persæpe est. Dixi paulò ante de Crasso. Idem fecit ado-

Best that Oration which is made among the multitude, with vehemence, often times rayseth an vniuersall glorie. For great is the wonderment at him that plentifully and wisely speaketh: Whom the hearers dooe iudge alio to vnderstand more, and to bee wiser then other. And if in the Oration there bee grauenes mingled with sober meode: nothing there can bee done more wonderfull, and so much the more, if those bee in a yong man. But whereas there be very many kindes of causes which dooe requyre eloquence, and many yong men in our common weale, both beefore the iudges, and beefore the Senate, haue attained prayse by speaking in matters: the greatest admiration is in iudiciall causes, the nature whereof is in two parts. For it standeth in accusation, & defence: of which albe it defence is the more commendable, yet also accusation is oftentimes allowed. I spake of Crassus a little beefore: the lyke doo

ad hunc

Marcus Antonius beeing a young man: an accusation also brought Publius Sulpitius eloquence to light, when into iudgement hee called the seditious & vnprofitable Citizen, Caius Norbanus.

But this soothly is not often to bee doone, nor at any time, vnlesse either for the common weales cause: as did the two Luculli: or for protection sake: as wee did for the Silicians, and for the Sardines: Julius Cesar, for Marcus Albutius dyd the lyke. Also Lucius Fucius diligēce was knowne in the accusing of Marcus Aquilius. Once the it may bee doone, not often certesse. But in case a man must needes dooe it often, let him ascribe this office to the common weale: whose enemies to reuenge often, is not to bee reprooued: yet let there bee a measure present. For of a hard hearted man or rather scarce a man, it seemes vpon many to bring the daunger of lyfe: for that both is daungerous to himselfe, and also a shamefull

lescens Marcus Antonius: Publij Sulpitij eloquentiam accusatio illustrauit cū seditiosum & inutilem ciuem Caium Norbanum in iudicium vocauit. Sed hoc quidem non est sepe faciendum, nec vnquam, nisi aut Reipublicæ causa, vt duo Luculli: aut patrocinio, vt nos pro Siculis pro Sardis. Pro Marco Albutio, Iulius Cesar. In accusando etiam Aquilio L. Fusii cognita industria est.

Semel igitur aut non sæpe certè. Sin erit cur faciendum sit sæpius Reipublicę tribuat hoc muneris, cuius inimicos vlcisci sæpe, non est reprehendendum: modus tamen adsit. Duri enim hominis, vel potius vix hominis videtur periculum capitis in ferre multis.

Id enim cū periculosum ipsi est, tum etiam sordidum ad fa-

## de Officijs.

nam committere, vt accusatos nominetur.

Quod contigit Marco Bruto, summo genere nato, illius filio, qui iuris ciuilibis imprimis peritus fuit. Atque etiam hoc præceptum officij diligenter tenendum est, ne quem vnquam innocentem in iudicium capitis accersas, id enim sine scelere fieri nullo pacto potest.

Nam quid est tam inhumanum, quam eloquentiam à natura ad salutem hominum & ad conseruationem datam ad bonorum pestem perniciemque conuertere? Nec tamen, vt hoc fugiendum est, ita habendum est religioni, nocentem aliquando, & nefarium, impiumque defendere.

Vult hoc multitudo? pariter consuetudo: fert etiam humanitas.

Iudicis est semper in causis verum sequi: patroni

blot in his name to giue cause that hee bee named a **Procurator**.

Which chaunced to **Marcus Brutus**, borne of a noble stocke, his soone, who was very well skilled in the ciuill law. And thereto this rule of dutie must be diligently kept: that yee bring no innocent, at any tyme in iudgement vpon life: for that can in no wise be doone without hainous wickednesse.

For what is there so unnatural, as to turne eloquence, beeing giuen of nature for the sauegard and preservation of men, to the harme and destruction of good men. And yet, as this is to bee eschewed, so it is not to bee accounted contrarie to godlynesse, to defend the guilty otherwhyle, and mischieuous, and wicked.

This the multitude desireth, custome beareth, humanity also worketh.

The iudges part is, euer more in causes to followe the trouth: the counsellers part, many



many tymes to defend the  
trouth lyke, though it bee not  
so true: which to write, I  
would not bee bolde, namely,  
seeing I treat of Philoso-  
phy, but that the same lyked  
Panetius, the grauest of the  
Stoikes.

But most of all by defen-  
ding, both glorie and fauour  
is gotten: and so much the  
more: if euer it befall that hee  
bee defended, who doth seeme  
to bee beeset, and pressed with  
the riches of any man of pow-  
er: as our selfe did both often  
at other times, and also being  
young, for Sextus Roscius  
the Ameryne, agaynst the  
myght of Lucius Sylla,  
bearing sway: which O-  
ration (as yee wot) is a-  
bode.

But now wee haue set forth  
young mens duties, which a-  
uaile to the attayning of glo-  
rie: hereafter we must speak  
of bountyfullnesse and liberali-  
tye. Whereof two manner  
wayes there bee.

For liberall dealing is  
shewed to such as need, either  
by trauayle, or with money,

nonnunquam veri sumi-  
le, etiam si minus sit ve-  
rum, defendere.

Quod scribere (preser-  
tim cum de philosophia  
scriberem) non auderem,  
nisi idem placeret gra-  
uissimo Stoicorum Pa-  
netio.

Maximè autem & glo-  
ria paritur & gratia, de-  
fensionibus: eoq; ma-  
ior, si quando accidit, vt  
ei subueniatur, qui po-  
tentis alicuius opibus  
circumueniri, vrgerique  
videatur: vt nos et se-  
pe alias, & adolescen-  
tes contra L. Syllæ do-  
minantis opes, pro Sex-  
to Roscio Amerino fe-  
cimus, quæ (vt scis) extat  
oratio. Sed expositis a-  
dolescentum officijs, quæ  
valeant ad gloriam adi-  
piscendum, deinceps de  
beneficentia ac libera-  
litate dicendum est, cuius  
est ratio duplex.

Nam aut opera be-  
nignè fit indigentibus,  
aut pecunia.

Fa-

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Facilior est hæc posterior locupletari præsertim : sed illa lautior ac splendidior & viro forti claroque dignior. Quamquam enim in utroque inest gratificandi liberalis voluntas, tamen altera ex arca, altera ex virtute depromitur.

Largitioque, quæ fit ex re familiari, fontem ipsum benignitatis ex haurit. Ita benignitate benignitas tollitur: quæ quo in plures usus sis, cõ minus in multos uti possis. At qui opera, id est virtute & industria benefici & liberales erunt : primum quo pluribus profuerint, cõ plures ad benignè faciendum adiutores habebunt, deinde consuetudine beneficentiæ paratiores erunt, & tanquam exercitiores ad bene de multis promerendum.

Præclare in epistola quadam, Alexandrum filium Philippus accusat, quod largitione be-

This latter is the easier, specially to the possessor, but that other is the goodlyer and more glayous, and meetter for a manly and noble man. For though there is a liberal will of pleasuring in both, yet the one out of the coffer, the other out of vertue is taken: and the lavishing which is made of a mans house goods, draweth by the verie fountayne of lyberalitie: so lyberalitie is by liberalitie wasted: and toward þe more that you do vse it, the lesse yee can bee able to vse it toward many.

But who so shall bee bountifull and liberall of traualle, (that is) of vertue and diligence: first, the more they haue profited, the more furtherers they shall haue toward dealing liberally: afterward by customable vsing of bounteousnesse, the readier they shall be, and (as it were) the more practised, to deserve well of many.

Princely doth Phillipus in a certayne Epistle, accuse Alexander his sonne: that

that by lawfulness hee hum-  
teth after the good will of the  
Macedonians.

What reason, in mischief,  
quoth hee, hath brought you  
into this hope? that ye should  
thincke, those would bee to  
you faithfull, whom you had  
corrupted with money. Why  
goe yee about this, that the  
Macedonians maye thincke  
you not theyr King, but theyr  
seruant and byber? Well, hee  
said, seruauit and byber, be-  
cause it is vile for a king. Bet-  
ter also he said, in that he cal-  
led large giuing corruption.

For hee that receiueth is  
made the worse thereby, and  
the readier alwaies to looke  
for the like. This said hee to  
his sonne: but let vs thincke  
it giuen in precept to vs all.  
Wherefore this certainly is  
no doubt, but the same lybe-  
ralitie which standeth in  
trauaile and diligence, both  
is honest, and also sprea-  
deth farther, and is able to  
profit mo.

Oftentimes yet a man  
must giue largely: and this  
kinde of liberality is not to be

neuolentiam Macedo-  
num conlectetur. Quae  
te malum inquit, ratio in  
istam spem induxit: ut  
eos tibi fideles putares  
fore, quos pecunia cor-  
rupisses. An tu id agis,  
ut Macedones non te  
Regem suum, sed mini-  
strum, & praebirorem  
putent? bene ministrum  
& prebirorem, quia for-  
didum Regi: melius e-  
tiam, quod largitionem  
corruptelam dixit esse.  
Fit enim deterior qui  
accipit, atque ad id idem  
semper expectandum pa-  
rator. Hoc ille filio, sed  
praceptum putemus om-  
nibus.

Quamobrem id qui-  
dem non est dubium,  
quin illa benignitas,  
quae constat ex oqera et  
industria, & honesti-  
or sit, & latius pateat  
& possit prodesse plu-  
ribus.

Nonnunquam ta-  
men est largiendum:  
nec hoc benignitatis ge-  
nus omnino repudian-  
dum



## de Officijs.

flum est : saepe idoneis  
hominibus indigenti-  
bus de re familiari im-  
pertendum : sed dili-  
genter atque modera-  
te.

Multi enim patri-  
monia effuderunt in-  
consulte largiendo.

Quid autem est stultius  
quam quod libenter fa-  
cias, curare ut id diuti-  
facere non possis? Atq;  
etiam sequuntur largi-  
tionem rapine. Cum e-  
nim dando egere coepe-  
rint, alienis bonis ma-  
nus afferre coguntur.  
Ita cum beneuolentiae  
comparandae causa be-  
nefici esse velint: non tan-  
ta studia assequuntur  
eorum, quibus dederunt,  
quanta odia eorum, qui-  
bus ademerunt. Quam-  
obrem nec ita clauden-  
da est res familiaris, ut  
eam benignitas aperire  
non possit: nec ita referan-  
da, ut pateat omnibus.  
Modus adhibeatur, isq;  
referatur ad facultates  
Omnino meminisse de-

utterly cast of: and wee must  
many times giue part of our  
substaunce to meete men,  
that haue neede: but wee  
must dooe it heedefully and  
measurably.

For diuerse haue spoild out  
their liueloode, by lauishinge  
vnadvisedly. But what is  
foolisher, then to cause that  
you canne no longer dooe the  
thing which pee loue to dooe?  
And also spoile followeth of  
lauishnesse. For when by gi-  
uing they begin to bee needie,  
they be driuen to lay hand on  
other mens goods: so when  
they would bee beneficiall,  
for cause of good will getting,  
they purchase not so great  
loue of theys, to whom they  
gaue: as of them they get  
hatred, from whome they  
tooke.

Wherefoze neither a mans  
substaunce is so to bee shutte  
vp, that lyberalitie cannot  
open it, nor so to bee vnloc-  
ked, that it lye abroad for  
euerie body. A measure is  
to bee kept, & let it bee refer-  
red to abilitie. In any wise  
wee must remember that,  
which

which with our menne is be-  
come oft in blage, and now is  
come into the custome of a  
prouerbe, that lauishnesse  
finds no bottome.

For what stay can there  
bee when both they, who are  
wont to it, and other dooe de-  
fire one thing? In all there  
bee two sorts of large gee-  
uers, of which the one bee  
called foole-large, the other  
liberall.

Foole-large wee call them  
who with open seats, and  
fleshgiftes, and fenseshowes,  
and furniture of sights, and  
huntings, power out theyr  
money on those things where-  
of they shall leaue a memo-  
ry eyther short, or none at  
all.

But liberall they bee named  
who with theyr riches doth  
ransome men taken by pray  
sekers, or for theyr friendes  
sakes, dooe beecome suertye  
for debt, or dooe ayde them in  
theyr daughters preferment  
of mariage, or else dooe help  
them eyther in getting or en-  
creasing theyr goods.

And therefore I maruaile

bemus id, qd' a nostris  
hominibus sepiissime v-  
surpatum, iamque in  
prouerbij consuetudi-  
nem venit: Largitionem  
Fundum non Habere.

Etenim quis potest  
esse modus, cum idem  
& qui consueuerunt, &  
idem illud alij deside-  
rent? Omnino duo sunt  
genera largorum, quo-  
rum alteri prodigi, qui  
epulis & viscerationi-  
bus, & gladiatorum  
muneribus, ludorum  
venationumque appa-  
ratu pecunias profun-  
dunt in eas res, quarum  
memoriam, aut bre-  
uem, aut nullam om-  
nino sint relicturi.

Liberales autem, qui  
suis facultatibus, aut  
captos a predonibus re-  
dimunt, aut res alienum  
suscipiunt amicorum  
causa, aut in filiarum  
collocatione adiuuant,  
aut opitulantur, vel  
in re querenda vel au-  
genda. Itaque miror  
quid in mentem venerit  
The-

## de Officijs.

Theophrasto in eo libro, quem de deuitijs scripsit : in quo multa preclare, illud absurde. Est enim multus in laudanda magnificentia & apparatione popularium munerum: taliumque sumptuum facultatem, fructum diuitiarum putat. Mihi autem ille fructus liberalitatis, cuius exempla pauca posui, multo & maior videtur, & certior. Quanto Aristoteles grauius & verius nos reprehendit : qui has effusiones pecuniarum non admiremur, quæ sunt ad multitudinem deliniendam : at ij qui ab hostibus obsidentur si emere aquæ sectorum mina cogerentur, hoc primo auditu incredibile nobis videri, omnesque mirari, sed cum attenderimus, veniam necessitati dare : in his immanibus iacturis, infinitisque sumptibus nihil nos magnopere mirari

what came in Theophrastus minde, in that booke, which hee wrote of riches, wherein hee spake many things notable but this out of course. For hee is much in praising great sumptuousnesse, and furnishment of people pleasing shewes : and hee deeme the ablenesse of such charges to be the fruite of riches. But mee thinketh that fruit of liberalitie, whereof I haue put a few examples is both greater and more certayne.

How much more grauelie and truely doth Aristotle reprove vs : who are not in a wonderment at these lashynges out of moneye, which bee done to claw the multitude : but in case they who are besseged of enemies, should bee driuen to buye a quart of water for tenne Crownes : that they at first hearing, seemeth to vs vncredible, and all make a maruayle at it : but when wee haue giuen good heede therto wee hold with necessity yet wee make no great maruaille at these exceeding losses  
and



and endlesse charges, when specially neyther necessitie is relieued, nor worshippinge increased, and that selfe same clawing of the multitude shall endure for a short, and a small while: yea and that with euerie of the lightest mindes, and yet in the very same, euen together with the fulnesse, the remembrance also of the pleasure dyeth.

It is also well gathered, that these shewes bee well lyked of children, and women, and slaues, and freemen most lyke vnto slaues, but that no wayes they can bee allowed of a sage man, and one that wyth a grounded iudgement weyeth those things, that bee doone.

Neuerthelesse I perceiue in our Citie, it hath growen into vse, now in this good world: that the gay shewes of the Ediles office is looked for, euen of the best men.

Therefore Publius Crassus both by surname rich, and also in substaunce, kept his Edile Office marueilous, sumptuously, and soone af-

cūmpresertim neque necessitati subueniatur, neque dignitas augeatur: ipsaque illa delinitio multitudinis ad breue, exiguumque duratura sit tempus: eaque a lenissimo quoque animo, in quo tamen ipso vnā cum satietate memoria quoque moriatur voluptatis.

Bene etiam colligitur, hæc pueris, & mulierculis, & seruis, & seruorum similimis liberis esse grata, graui vero homini, & ea, quæ fiunt, iuditio certo ponderanti probari posse nullo modo.

Quanquam intelligo in nostra ciuitate inuenterasse iam bonis temporibus, vt spendor ædilitatum ab optimis viris postuletur.

Itaque P. Crassus cūm cognomine diues, tum etiam copijs, functus est ædilitio maximo munere. Et paulo post L. Crassus cum omnium

## de Officijs

hominum moderatissimo Quinto Mutio magnificentissima ædilitate functus est.

Deinde C. Claudius Appij filius.

Multi post vt : Lucullus, Hortensius, Syllanus. Omnes autem P. Lentulus me consule vicit superiores. Hunc est Scaurus imitatus.

Magnificentissima vero nostri Pompeij munera secundo consulatu : in quibus omnibus, quid mihi placeat, vides. Vitanda tamen est suspicio auaritiæ.

Nam Mamercus hominiditissimo prætermisio ædilitatis consulatus repulsam attulit. Quare & si postulatur a populo, bonis viris si non desiderantibus, attamen approbantibus, faciendum est, modò pro facultatibus, nos ipsi vt fecimus.

Et si quando aliqua res maior, aut vtilior populari largitione acquiritur

ter Lucius Crassus, with Quintus Mucius the greatest meanekeeper of all men, kept the tyme of their Edile office most royally. Thē came Caius Claudius, Appius sonne. Afterward succeeded many as Lucullus Portensius, Syllanus. But Publius Lentulus, when I was Consul, passed all his predecessours, Scaurus followed him. But our Pompeius shewes, in his seconde Consulshippe, were the costlier of all, in euery deale whereof you see what lyketh mee, wee must yet auoyde suspicion of couetousnesse. For the refusall of the Edileshippe brought to Mamercus, a very rich man, a fall for the Consulshippe, wherefore the thing is to bee doone both if it bee called for of the people, and good men, though they dooe not requyre it, dooe yet allow it, so it bee according to ones abilitie, as wee our selfe haue doone : and also, if any greater and more profitable thing is wonne at anye tyme, by people pleasing largesse, as of late  
a great

a great honour to Orestes were the dinings in open waies, in name of his tenths. No no: it was not counted a reproch to Marcus Scius: that in a dearth of corne, hee gaue to the people for foure pence a bushell. For from a great and a long festered enuie, he deliuered himselfe, neither by a dishonest losse, seeing hee was Edile, no: yet verie great. But alate it was passing high honour to our Milo, because for the common weales sake, which in our safetie consisteth, with hired fence men hee suppressed all Publius Clodius attempts and rages. There is therefore cause of largesse, if either it be necessarie or profitable. And yet in the same the rule of meane-keeping is best. Certes Lucius Philippus, Quintus sonne, a man of great wit, and most famous, was woont to glorie, that hee without any gift giuing, had attayned all manner dignities, which were counted most honourable.

The like said Cotta Curia,

vt Oresti nuper prandia in semitis, decimæ nomine, magno honori fuerunt. Nec Marco quidē Seio vitio datum est, q̄ in caritate annonæ assemodium populo dedit. Magna enim se & inueterata inuidia, nec turpi iactura, quando erat Aedilis nec maxima liberauit. Sed honori summo nuper nostro Miloni fuit, quod gladiatoribus emptis Reipublicæ causa, quæ salute nostra continebatur, omnes Publij Clodij conatus, furoresque compressit. Causa igitur largitionis est, si aut necesse est aut utile. In his autem ipsis, mediocritatis regula optima est. L. quidem Philippus Q. Fabij filius magno vir ingenio, inprimisq; clarus gloriari solebat: se sine ullo munere adeptum esse omnia, quæ haberentur amplissima. Dicebat idem Cotta Curia.

N.ij.

No-



## de officijs.

Nobis quoque licet in hoc quodam modo gloriari. Nam pro amplitudine honorū, quos cunctis suffragijs adepti sumus, nostro quidem anno (quod contigit eorum nemini, quos modo nominavi) sanè exiguus sumptus Aedilitatis fuit. Atque etiam illę impēse meliores sunt: muri, naualia, portus, aquarum ductus, omnia quę quæ ad vsum Reip. pertinent. Quamquam quod præsens tanquam in manu datur iucundius est: tamen hæc in posterum gratiora. Theatra, porticus, noua templa, verecundius reprehendo propter Pompeium: sed doctissimi non probant, vt & hic ipse Panætius, quē multum in his liberis sequutus sum, non interpretatur: & Phalerius Demetrius qui Periclem principem Græcię vituperat, quod tantā pecuniā in præclarissima Propylæa coniecerit.

Wee also in this may glorie after a certaine sort. For boubtlesse small was the cost of our Edileship: in respect of such large honours, as by all mens voices, wee attained, euen in our yeere, which hath befalln to none of them whom I named erewhile. And also these expēces bee better, which are bestowed vpon citie wals, shippedockes, hauens, conduits, & all that appertaine to the vse of the common weale. Although that is more pleasant, which presently is giuen (as it were) in hand, yet for time to come these be more acceptable. Sith courtes, Gallerie walks, and new Churches, the more reuerently I finde fault wth, for Pompeius sake: but the best lerned men do not allow thē: as both this same Panætius, whom I haue folowed much in these bookes, and yet not translated him: and also Phalerius Demetrius: who dispraised Pericles, the Prince of Grece, because hee layed so much money vpon those goodly Porches.

But

But of this kinde vniuersally, it is diligently disputed in those bookes which I wrote of a common weale.

The whole manner then of such largenesse generally is faultie, yet for certaine times it is necessarie: and then the same is both to bee referred to ones abilitie, and to bee tempered with a meane keeping.

But in that other kinde of large giuing, which proceeds of liberalitie, not all alike in causes vnlvked, wee ought to bee disposed. Otherwise is his case, who is pressed with miserie: & otherwise his who seeketh more wealth hauinge no aduersitie. Toward the miserable, liberalitie ought to bee forwarde: except peraduenture they shall bee worthe of miserie. Wee ought yet in no wise to bee altogether pinching toward those: who would haue themselves to bee holpen, not that they may feele no affliction, but that they may rse to higher degree: neuerthelesse in chooseng

Sed de hoc genere toto in his libris, quos de Republica scripsi, diligenter est disputatum. Totā igitur ratio taliū largitionum genere vitiosa est, temporibus necessaria: & tamen ipsa et ad facultates accommodanda, & mediocritate moderanda est. In illo autem altero genere largiendi, quod à liberalitate profiscitur, non vno modo in disparibus causis affecti esse debemus. Alia causa est eius, qui calamitate premitur, & eius, qui res meliores quærit, nullia suis rebus aduersis.

Propensior benignitas esse debet in calamitosos, nisi forte erunt digni calamitate. In ijs tamen, qui se adiuuari volunt, non solum vt ne affligantur, sed etiam, vt altiorem gradum ascendant, restricti omnino nullo modo esse debemus: sed in deligendis

## de Officijs.

idoneis iudicium, & diligentiam adhibere. Nam præclarè Ennius.

Benefacta male locata,  
Malefacta arbitrator.

Quod autem tributum est bono viro & grato, in eo cum ex ipso fructus est, tum etiam ex cæteris. Temeritate enim remota, gratissima est liberalitas, eoque eam studiosius plerique laudant, quòd summi cuiusque bonitas commune profugium est omnium. Danda igitur opera est ut hos beneficijs quam plurimis afficiamus, quorum memoria liberis, posterisque prodatur, ut his ingratissimum esse non liceat.

Omnes enim immemorem beneficij oderunt, eamque iniuriam in deterrenda liberalitate sibi etiam fieri: cumque qui faciat,

out meete men, wee ought to vse a discretion and a diligence. For notably sayth Ennius.

Good deeds, in case they  
bee euill placed,  
Euill deedes I count,  
and cleane disgraced.

But what so is giuen to a good man, and a thankfull: therby both there comes fruit from him, & also from other. For so rashnesse bee auoided, liberalitie is very pleasurfull: and so much the more earnestly most men praise it, because euerie great mans goodnesse is the common refuge of all.

Our indeauour therefore is to bee doone, that wee reward them with verie many benefits: to whose children and offspring a memorie may be left: so that of good right they can: not bee vnthankfull. For all men do hate the forgetter of a good tourne, and dooe deeme that wrong euē to themselves to bee doone, in fraying away ones liberalitie: and they take him, who causeth it to bee a  
com



common enimie of the pooze. And this liberalitie also is profitable to the common weale, to haue prisoners redeemed out of captiuitie, and the pooze enriched. Which wee see written at large in the Oracion of Crassus, that it was wont to bee done abroad by vs of the Equestriall order. I place therefore this vantage of liberality before laushnesse in shewes. This is for graue men and great, that other, (as it were) for flatterers of the people, tickeling, as pee would say, the lightnes of the multitude with pleasure. But it is meet for a man both to bee liberall in giuing, and nothing eager in requiring: and also in euery matter of bargaining, selling, buying, hiring, letting, nigh dwellings, and partye bounds, to be iust and gentle, and to remit much of his due to many: but from trauers in law to refrayne as much as hee may: and I wotte not, whether somewhat more also then hee may.

communem hostem tenuiorum putant. Atque hæc benignitas etiam Reip. utilis est redimi e seruitute captos, locupletari tenuiores: qd' quidem vulgo solitum fieri ab ordine nostro in oratione Crassi scriptum copiose videmus. Hanc ergo consuetudinem benignitatis largitioni munerum longè antepono. Hæc est grauium hominum atque magnorum: illa quasi assentatorum populi, multitudinis leuitatem voluptate quasi titillantium. Conuenit autem tum in dando munificum esse, tum in exigendo non acerbum. In omniq; re contrahenda vendendo, emendo, conducendo, locando in vicinitatibus & cōfinijs æquū & facilem, multa multis de iure succedentem: à litib<sup>9</sup> vero quantum liceat (& nescio an paulo pl<sup>9</sup> etiam quam liceat) abhorrentem.

N.iiij.

Est

## de Officijs.

Est enim non modo liberale, paulum nonnunquam de suo iure decedere, sed interdum etiam fructuosum. Habenda autem est ratio rei familiaris, quam quidem dilabi sinere, flagitiosum est: sed ita, ut illiberalitatis, auaritiæque absit suspicio. Posse enim liberalitate uti, non spoliante se patrimonio, nimirum est pecuniæ fructus maximus. Rectè etiam à Theophrasto, est laudata hospitalitas. Est enim (ut mihi quidem videtur) valdè decorum patere domos hominum illustrium illustribus hospitibus. Idq; etià Reip. est ornamento homines externos hoc liberalitatis genere in vrbe nostra non egere. Est etià vehementer vtile ijs, qui honestè multum posse volunt, per hospites apud externos populos valere opibus & gratia. Theophrast⁹ scribit quidè Cimonem Athenis etiam

For it is not onely a liberall point, to forgoe somewhat of his ryght otherwhile, but sometime also profitable. But regarde of a mannes wealth must bee hadde, which verily to suffer to decaie, is a fowle fault, but so, as suspicion of niggardynesse and couetousnes be auoyded. For no doubt it is the greatest fruit of money, that a man bee able to vse liberalitie, not making spoyle of his lue'ood. Well also is hospitalitie praysed of Theophrastus.

For it is (as mee thinketh) verye seemelye noble mennes houses to bee open for noble guesstes. And that also is an honour to the state, that outlandyshe men in our citie dooe not want this kinde of lyberalitie. It is also exceeding profitable to them, who honestly desire to be able to dooe much: to preuaile in power, and fauour by their guesstes, among forreine nations. Theophrastus indeede writeth, þ Cimon at Athens also was a good housekeeper, for the Laciadans of

of his ward. Because he toke order so, and commanded his Bayliffes, all things should bee offered, to whatsoeuer Laciadan tourned into his mannour.

But these benefits, which bee bestowed by trauaile, and not by large gifts, are employed both vpon the whole common weale, and vpon euerie citizen a part. For in law to giue aduise, with counsaile to help and to further verie many with this kinde of science: it auaileth very much, both to the encrease of ritches, and also to fauor. Therfore as there were manye worthy things of our auncestors, so alwayes in great pryse was the knowledge, and the opening of the right well ordained ciuil law: which truely beefore this troublesome of times, rulers receyued in h due estimation: now as honour, and as every degree of worship, so the glorie of this science is blotted out.

And that is so much the shamefuller, because this happened at that time: when hee reigned, who in knowledge

in suos curiales Laciadas hospitalem fuisse. Ita enim instituisse, & villis imperauisse, vt omnia præberetur, quicunq; Laciades in villam suā diuertisset. Quæ autem opera, non largitione, beneficia dantur: hæc tū in vniuersa Rēp. tū in singulos ciues cōferuntur. Nā in iure cauere, consilio iuuare atq; hoc scientiæ genere pdesse quam plurimis vehementer, & ad opes augendas pertinet, & ad gratiam. Itaq; cum multa præclara maiorum, tum quam optimè cōstituti iuris ciuilis summo seper in honore fuit cognitio, atq; interpretatio: q̄ quidem ante hanc cōfusionē temporum in possessione sua principes retinuerūt. Nunc vt honores, vt omnes dignitatis gradus, sic huius scientiæ splendor deletus est.

Idque eo indignius, quod eo tempore hoc contigit, cum is esset, qui omnes superiores,

N.v.

qui-



## de Officijs.

quibus honore par esset,  
scientia facile vicisset.

Hæc igitur opera grata  
multis, & ad beneficijs  
obstringendos homines  
accommodata. Atque  
huic arti finitima est di-  
cendi grauior facultas,  
& gravior, & orna-  
tior. Quid enim elo-  
quentia laudabilius,  
& prestabilius, vel ad-  
miracione audientium,  
vel spe indigentium, vel  
eorum, qui defensi sunt  
gratia?

Huic quoq; à ergo maio-  
ribus nostris est in tota  
dignitate principatus da-  
tus. Diserti igitur homi-  
nis, & facile laborantis,  
quodque in patrijs est  
moribus, multorum cau-  
sas & non grauatè &  
gratuitò defendentis,  
beneficia & patrocinia  
latè patent.

Admonebat me res,  
vt hoc quoque loco in-  
termisionem eloquen-  
tiæ, nec dicam interitum  
deplorarem: nisi vererer  
ne de me ipso aliquid

cleerely exceeded all his fore-  
goers, to whom hee had bene  
peere in honour. This tra-  
uaille therefore is pleasurefull  
to many, and verie fitt, to  
binde men with benefits.

And the grauer, and grace-  
fuller, and trimmer feate of  
oratorie is neere cosin to this  
science.

For what is more pzaple  
worthe and better then elo-  
quence? either for the admis-  
ration of the hearers, or the  
hope of the needers, or for  
their cause, who haue bene  
defended. Therefore to this  
likewise a pzheminence in all  
honour was giuen of our el-  
ders. The benefits, then, and  
the pleading of a fine spoken  
man, & gladly taking paines,  
and (as it is in his Countrie  
fashion) both not vntwillingly,  
and also freely defending ma-  
ny mens causes, bee far spred  
abroad.

The matter hath put mee  
in minde, that in this place al-  
so I should bewaile the dis-  
continuaunce, I will not say  
the destruction of eloquence:  
but that I feared, least tou-  
ching

ching my selfe somewhat I  
should seeme to complayne.

Notwithstanding wee see  
what notable Orators haue  
beene put out of the way: and  
how in a few a hope, in fewer  
a skill, in many a boldnesse  
there remaines. But seeing  
neither all, nor yet many can  
bee either cunning in the law, or  
well spoken men: one yet with  
travaille may further ma-  
ke, that sheweth for theyr co-  
modities, that speaketh in  
their fauor to the iudges, and  
magistrats: that sleepeth not  
out anothers cause, that  
intreateth those same, who ei-  
ther bee counsellors or defen-  
ders: which who so dooe, they  
attaine very much fauour, &  
theyr painfullnesse floweth all  
abroad. Now they are not  
to bee admonished of this (for  
it is well known) that they  
take heede: when they will  
help other, that they offend  
none: for oftentimes either  
they hurt them, whome they  
should not: or them whome it  
is not behouable: if vnwarily  
they do it, of negligence it is:

viderer queri. Sed tamen  
videmus quibus extin-  
ctis oratoribus quàm in  
paucis spes, quânto in  
paucioribus facultas,  
quàm in multis sit au-  
dacia. Cum autem om-  
nes non possint, ne mul-  
ti quidem, aut iuris peri-  
ti esse aut disertis: licet  
tamen opera prodesse  
multis, beneficia peten-  
tem, commendantem  
iudicibus, aut magistra-  
tibus: vigilantem pro  
re alterius, eosque ipsos  
qui aut consulunt, aut  
defendunt rogantem,  
quod qui faciunt pluri-  
mum gratiæ consequun-  
tur, latissimèque eorum  
manat industria.

Iam illud non sunt  
admonendi (est enim  
in promptu) vt anim-  
aduertant, cum iuuare  
alios velint, ne quos of-  
fendant. Sepe enim, aut  
eos lædunt, quos non  
debent, aut eos quos  
non expedit. Si impru-  
dentes, negligentia est:

## de Officijs.

si scientes, temeritatis. Utendum enim est excusatione aduersos eos, quos inuitus offendas quacunque possis, quare id, quod feceris necesse fuerit, nec aliter facere potueris, certisque operis & officijs erit id, quod violatum est, compensandum. Sed cum in hominibus iuuandis aut mores spectari, aut fortuna soleat, dictum quidem est proclive: itaque vulgo loquuntur, sese in beneficijs collocandis mores hominum non fortunam sequi. Honesta oratio est. Sed quis est tandem, qui in opis & optimi viri causa, non anteponat in opera danda gratiam fortunati & potentis: A quo enim expeditior & celerior remuneratio, fore videtur, in eum fere est voluntas nostra propensior.

Sed animaduertendum est diligentius,

if wittingly, of rashnesse it comes. You must vse also to them, whome you offende against your will, such an excuse as yee may: for what cause the same that you haue doone was necessary, and you could not doe otherwise, and that which was doone offensively, shall bee recompensed with other trauals, & friendly dooetings.

But whereas in helping men, eyther theyr conditions are wont to bee considered, or their estate: indeed it is soone sayd, and so they doe commonly speake: that in beestowing theyr benefits, they regard mens manners, and not theyr estate. An honest saying it is, but who is there at all, which in beestowing his trauals, doth not pferre the fauour of a rich man, and one of power, beefore the poore, & a right good mans cause? For from whom, wee thincke a speedier, and readier recompence will come: to himwards commonly our good will is the more inclined. But wee must marke more diligently what



what is the nature of things. for verely though the poore man cannot render due thanks, yet if hee bee a good man, owe them forsooth hee maye. This surely was in place, whosoever sayd it. Money who haueth in hand, hath not paide: and who hath paide, haueth in minde: but thanks both who hath paide, haueth in minde, & who haueth in minde, hath rendered. But these, who count themselues rich, honorable, and wealfull, wil not be once bound to a man for a pleasure: but they thincke rather that they haue done a pleasure: when, yea, although they haue taken some great thing, they suspect somewhat likewise of them, either to be craued, or looked for, but they reckon it euen lyke a death: that they should seeme to haue bled ones furtheraunce, or should bee called hangers on. But the other poore man, thinking himselfe regarded, & not his state, when any thing is done vnto him: desires that hee may be thought thankfull

quæ natura rerum sit. Nimirum enim inops ille, si bonus est vir, etiam si referre gratiam non potest: habere certe potest. Commodè autem quicumque dixit, pecuniam qui habeat, non reddidisse: & qui reddiderit non habere: gratiam autem & qui retulerit habere, & qui habeat retulisse. At quæ se locupletes, honoratos, beatos putant, hi ne obligari quidem beneficio volunt: quin etiam beneficium se dedisse arbitrantur, cum ipsi quamuis aliquid magnum acceperint, atque etiam à se aut postulari, aut expectari aliquid suspicantur. Patrocinio verò se vassos, aut clientes appellari, mortis instar putant.

At vero ille tenuis cum quicquid factum sit, sese spectatum, non fortunam putat: non modo illi, qui est meritus, sed etiam illis, a quibus

## de Officijs.

bus expectat (eget enim multis) gratum se videri studet. Neque vero verbis auget suum munus, si quo forte fungitur: sed etiam extenuat.

Videndumque illud est, quod si opulentum, fortunatumque; defenderis: in vno illo, aut forte in liberis eius manet gratia. Sin autem inopem, probum tamen & modestum, omnes non improbi humiles, (quæ magna in populo multitudo est) præsidium sibi paratum vident.

Quamobrem melius apud bonos, quam apud fortunatos, beneficium collocari puto. Danda tamen omnino opera est vt omni generi satisfacere possimus. Sed si res in contentionem veniet, nimirum Themistocles est author adhibendus: qui cum consule retur vtrū bono viro pauperi, aut minus probato diuiti filiam collocaret,

onely to him, who haue deserved it, but also to them (for he standes in neede of many) of whome hee looks for ought. Not yet wyth words hee lets out his seruice, if perhaps hee dooe any, but also abateth it. And this same point is to bee considered, that if you defend a rich and a welthie man, the thanke remaines to him alone, or perchance in his children: but if you dooe it for him that is poore, and yet honest and discreete, all the meane degree, beeing not dishonest, (which is a great multitude among the people) do see succour prepared for the. Wherefore I thincke a benefit better to be bestowed vpon good men, then vpon rich. Yet alwayes wee must giue our endeauour, that wee may content all manner of men: but if the matter shall come into comparison, verelie Themistocles is to bee taken for an Authoz: who, when hee was asked counsayle, whether one should bestow his daughter vpon a good poore man, or a rich man not so honest:

I (quoth hee) doe rather like  
a man, who lacketh money,  
than money which wanteth  
a man.

But maners bee corrupted  
and marred, by ouer regar-  
ding riches, what doth the  
great floze thereof pertayne  
to every one of vs: peraduen-  
ture it helpeth him, that hath  
it: and that was not alwaies.  
But graunt it helps, in deede  
hee may bee the mightier but  
which way may hee bee the ho-  
nester man? And if the rich  
man bee also a good man, let  
not his riches hynder him,  
and cause him to finde the  
lesse help, so they further  
him not: and let a mans  
whole iudgement be, not how  
rich, but what manner man  
each one is. And in beestow-  
ing benefits, and trauaile the  
last lesson is that you labour  
nothing against equitie, and  
nothing with wrong. For iu-  
stice is the ground of a conti-  
nuall cōmendation & fame, w-  
out which, nothing cā be prais-  
able. But seeing we haue spo-  
ken of such kinde of benefits,  
as belong to each seuerall man

ego verò inquit, malo vi-  
rum qui pecunia egeat,  
quam pecuniam, q; viro.  
Sed cōrupti mores, de-  
prauatiq; sunt admira-  
tione diuitiarum: qua-  
rum magnitudo quid  
ad vnum quemq; nostrū  
pertiner? Illum fortasse  
adiuuat, qui habet, ne id  
quidem semper. Sed fac  
iuuare, potentior sane  
sit, honestior vero quo-  
modo? Quod si etiam  
bonus erit vir: ne impe-  
diant diuitiæ quo mi-  
nus iuuetur, modō ne  
adiuuent, sitq; omne iu-  
diciū non quā locu-  
ples, sed qualis quisque  
sit. Extremum autem prę-  
ceptum in beneficijs o-  
pera que danda est, ne  
quid contra æquitatem  
contendas, ne quid pro  
iniuria.

Fundamentum enim  
perpetuæ commendati-  
onis & fame est iustitia,  
siue qua nihil potest ef-  
se laudabile. Sed quoni-  
am de eo genere benefi-  
ciorum dictum est, quæ  
ad



## de Officijs.

ad singulos spectant, deinceps de ijs, quæ ad vniuersos, quæque ad Remp. pertinent disputandum est. Eorum autem ipsorum partim cuiusmodi sunt, vt ad vniuersos ciues pertineant, partim singulos vt attingat, quæ sunt etiam gratiora. Dandà est opèra omnino si possit vtrisque, nec minus vt etiam singulis consulatur: sed ita vt ea res aut profit, aut certè ne obfit Reipub. C. Helij, & T. Gracchi frumentaria magna largitio fuit, exhauriebat igitur ærarium; modica M. Octauij, & Reipub. tolerabilis, & plebi necessaria: ergo & ciuibus & Reipub. salutaris.

Inprimis autem videndum erit ei, qui Rempub. administrabit: vt suum quisque teneat: neque de bonis priuatorum publicè diminutio fiat.

Pernitiosè enim Philippus in tribunatu,

heereafter wee must treat of those which pertaine too all men, and to a common weale. And some of those same bee of such sort, & they pertain to the whole number of Citizens, some that they concerne euery free man, which bee also more fauourable. A diligens doubtlesse ther must be giuen, if it may, that it bee prouided for both, and no lesse also, for euery one, but so, as the thing either may further or at least not hinder the commō weale. Caius Gracchus corndole was great, he wasted therfore the tresurie. Marcus Octauius made such a one, as was measurable, and as the common weale might beare, and necessarie for the people, and therfore wealfull both to the Citizens, and also to the state. But specially it must be scene to of him, who shall gouerne the common weale, that euery man keepe his owne: and that there bee no impairing of priuate mennes goods for common charges.

For Phillippus did daunge-rouly in his Tribuneshippe, when

when he made the law concerning landes, which yet hee soone suffered to bee repealed, and therein marueylously hee shewed himselfe a sober man, but as hee did euill, in setting forth many thinges people pleasingly, so this hee spake euill, that there were not in the Citie two thousand men, who had any substance.

It is surely a mischeeuous saying, and sounding to the making of goods common, and what greater pestilence can there bee then that: For common wealthes, and countries are ordeined to this ende specially, that men may keepe theyr owne.

For although men assemble together, nature beeing guyde, yet they sought the defences of Cities, for hope of safe keepinge of theyr goods.

There must also good herde bee giuen, that (as often it happened among our aunceters) for the poorenesse of the treasure, and continuance of the warres, a tribute bee needefull to bee

cum legem agrariam ferret, quam tamen antiquari facile passus est, & in eo vehementer se moderatum prebuit, sed cum in agendo multa populariter, tum illud male dixit: non esse in ciuitate duo millia hominum, qui rem haberent.

Capitalis oratio est ad æquationem bonorum pertinens.

Qua peste quæ potest esse maior? Hanc enim ob causam maxime, vt sua tuerentur, Resp. ciuitatesque constitutæ sunt.

Nam etsi duce natura congregabantur homines, tamen, spe custodiæ rerum suarum, urbium præsidia quærebant.

Danda etiam opera est, ne (quod apud maiores nostros sæpe fiebat) propter ærarij tenuitatem, assiduitatemque bellorum tributum sit conferendum.

## de Officijs

dam. Idquē ne eueniat, multo antē erit prouidendum.

Sin qua necessitas huius muneris alicui Reipub. obuenerit ( malo enim alteri quā nostrae ominari, nequē tantum de nostra, sed de omni Repub. disputo ) danda erit opera, ut omnes intelligant si salui esse velint, necessitati esse parerendum.

Atque etiam omnes qui Rempub. gubernabunt, consulere debebunt, ut earum rerum copia sit, quae sunt necessariae.

Quarum qualis comparatio fieri soleat, & debeat, non est necesse disputare, est enim in promptu : tantum locus attingendus fuit.

Caput autem est in omni procuracione negotij & muneris publici, ut auariciae pellatur etiam minima suspicio.

payde. And long beefore it must bee prouided, that it may not fall.

But if any necessitie of this ductie shall happen vpon any common weale (for I had rather prophetic to some others, then to ours, and yet I reason not of ours, but of euery common weale) there must bee giuen a diligence, that all men may vnderstand, that if they will bee in safety they must obey necessitie.

And moreouer, all such as shall rule the common weale, ought to prouide, that there bee store of these things which are necessarie.

Of which it is not needfull to dispute, what a prouision, is wont and ought to bee made, for that matter is manifest, this place was no more but to bee touched.

But the chiefe point is in all administration of matters, and Common weale offices, that euen the least suspicion of couetousnesse bee auoyded, would GOD quoth Catus Pontius the  
Sam:



Samnite, fortune had refer-  
ed mee to those dayes, and I  
had then beene borne, when  
the Romanes beegunne once  
to take bribes. I would  
not suffer them any longer  
to rule. I needed not twis,  
to haue tarryed for manye  
worlds.

For of late this mischiefe  
entred into this common  
weale. Therefore I am  
well content that Pontus  
rather liued then, if there was  
in him so much manhooe in-  
deede.

Not yet a hundred and  
ten yeeres bee past, since the  
law of pylage was made,  
by Lucius Diso, whereas  
none beefore had beene. But  
afterward followed so many  
lawes, and euery of the latter,  
the harder, so many accused,  
so many condemned, so great  
an Italian warre, raised for  
feare of iudgements: when  
lawes and iudgements were  
taken away, so great pouling  
and robbing of large friends,

Vtinam, inquit Caius  
Pontius Sarnis, ad illa  
tempora fortuna me  
seruasset, & tunc essem  
natus, quando Romani  
dona accipere coepis-  
sent, non essem passus  
eos diutius imperare. Ne  
illi quidem multa sæcu-  
la expectanda fuerunt,  
modò enim hoc malum,  
in hanc Rempubicam  
inuasit.

Itaque facile patior,  
tunc potius Pontium  
fuisse, si quidem in illo  
tantum fuit roboris.

Nondum centum & de-  
cem anni sunt, cū de pecu-  
niis reputundis à L. Pi-  
sone lata est lex, nulla  
antea cū fuisset.

At vero postea tot le-  
ges & proximæ quæq;  
duriores, tot rei, tot dam-  
nati, tantum Italicum  
bellum propter iudici-  
orum metum excitatum,  
tanta sublatis legibus,  
& iudiciis expilatio, di-  
reptioque sociorum.

## de officijs.

vt imbecillitate aliorum, non nostra virtute valeamus. Laudat Africanum Panætius quod fuerit abstinens, quid ni laudet? sed in illo alia maiora. Laus enim abstinentiæ, non hominis est solum, sed etiam temporum illorum.

Omni Macedonum gaza, quæ fuit maxima, potitus est Paulus, tantum in ærarium pecuniæ inuexit, vt vnus imperatoris præda, finem attulerit tributorum. At hic nihil in domum suam intulit, præter memoriam nominis sempiternam.

Imitatus patrem Africanus nihilo locupletior Carthagine euerfa. Quid, ( qui eius collega in Censura fuit ) Lucius Mummius? nunquid copiosior, cum copiosissimam urbem funditus sustulisset? Italiam ornare, quam domum suam maluit. Quanquam Italia

that by the weaknesse of other, not by our pꝛowesse, wee do pꝛeuaile. Panætius pꝛaiseth Africanus, because hee was no taker. Why should hee not bee pꝛaised? But other greater things there were in him.

For the pꝛaise of restraining from taking, is not onely the mannes, but also that times. Paulus got all the Macedonians treasure, which was exceeding great, hee brought so much riches into the Treasurie, that one Captaynes bootie made an ende of Tributes: but hee boꝛe nothing into his house, saue an euerslastinge memoꝛye of his name.

Africanus followed his father, no whit the moꝛe enriched, by Carthage razed. What of Lucius Mummius, who was his office fellow in the Censorshippe? Was hee any deale the richer, when by the ground hee had ouerthrowen the most rich Citie.

Hee was willing rather to beautifye Italy, then his owne house, although Ita-  
ly

ly beeing beautified, his verie house seemeth to me the beautifuller. No vyce then is there fowler (that thether my talke may return, from whence it is strayed) then couetousnesse, specially in Princes and common Weale rulers.

For it is not onely dishonest, but wicked also & shamefull, to make a gaine of the common wealth. Therefore whereas Apollo Pithius, gaue out by Oracle, that Sparta no other waie, but by couetousnesse should come to destruction, the same hee seemeth to haue prophesied, not onely to the Lacedemonians, but also to all wealthie peoples. For they who rule ouer the common weale, may by no meanes sooner winne the good will of the multitude, then by a refraining hand and staiednesse.

But who so will bee people pleasers, and for that cause doe either attempt the matters of lands, that the owners may bee driuen from theyr holds, or else doe thinck meete

ornata, domus ipsa videtur mihi ornatior. Nullum igitur vitium est tetrius (vt eo, vnde gressa est, referat se oratio) quam auaritia, praesertim in principibus, & Remp. gubernantibus.

Habere enim questui Remp. non modo turpe est, sed sceleratum etiam & nefarium. Itaque quod Appollo Pythius oraculo edidit, Spartem nulla re alia, nisi auaritia esse perituram, id videtur non solum Lacedemonijs, sed etiam omnibus opulentis populis praedixisse. Nulla autem re conciliare facilius beneuolentiam multitudinis possunt ij, qui Reipublice praesunt, quam abstinentia & continentia.

Qui verò se populares volunt esse, ob camque causam aut agrariam rem tentant, vt possessores suis sedibus pellantur: aut pecunias creditas debitoribus con-



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donandas putant, ij labefactant fundamenta Reipublicę, concordiam primũ, quę esse non potest, cum aliis adimuntur, aliis condonatur pecunię, deinde equitatem, quę tollitur omnis, si habere suum, cuique non licet.

Id enim est proprium vt supra dixi, ciuitatis atque vrbis, vt sit libera, & non sollicita sue rei cuiusque custodia.

Atque in hac pernicię Reipublicę, ne illam quidem consequuntur, quam putant gratiam.

Nam cui res crepta est, est inimicus, cui data, est etiam, dissimulat se accipere voluisse, & maximè in pecuniis creditis, occultat suum gaudium, ne videatur non fuisse soluendo.

that loued money vee rentred to the debtors, they shake the foundations of the cõmon weale, first they take away concord, which cannot bee when money is pulled from some, and forgiuen to other some, next, they bannish equitie, which is wholly rooted out, if it bee not lawfull for euery man to haue his owne.

For that is the proper end, as I said beefore, of a Citie and Borough, that there bee a free, and no troublesome keeping of euery mannes owne good.

And in this mischief of the common wealth, they doe not attaine such fauour as they suppose they dooe. For hee from whom goods bee taken, is become an eninnie, he also to whom they are giuen, makes as though hee is not willing to take them, and most of all, he hides his ioy in loued money forgiuen, least hee may seeme to haue beene vnable to pay it,

At

But

But surely hee that recey-  
ueth the wrong, both beareth  
his griefe in remembraunce,  
& sheweth it in sight, neither  
if they be more, to whom wic-  
kedly it hath been giuen, then  
they from whom vniustly it  
hath beene taken, it followeth  
that therefore they bee also  
more in power.

For these things bee iudg-  
ed, not by number, but by  
weight. And what equytye  
is in this, that hee should  
haue land who hath had none,  
and hee shoulde forgoe land  
who hath had it many yeres,  
yea or hundreds of yeres,  
bee fore continued in possesi-  
on.

But for this kinde of iniu-  
ry, the Lacedemonians draue  
out Lysander, the Ephorian,  
and they slew Agis the king,  
which had neuer happened a-  
mong them bee fore, whereof  
followed at that time so great  
discentions, that there arose  
tyrants, and their noble men  
were exiled, and a very well  
ordered common weale went  
to ruine.

At vero ille, qui accipit  
iniuriam, & meminit  
& prae se fert dolorem  
suum, nec si plures sunt  
ij, quibus improbe da-  
tum est, quam illi, qui-  
bus iniuste ademptum  
est, idcirco plus etiam  
valent.

Non enim numero  
haec iudicantur, sed pon-  
dere. Quam autem ha-  
bet aequitatem, vt agrum  
multis annis, aut etiam  
saeculis ante possessum,  
qui nullum habuit, ha-  
beat, qui autem habuit  
amittat?

At propter hoc iniu-  
riae genus Lacedemonij  
Lysandrum Ephorum ex-  
pulerunt: Agin regem  
(quod nunquam antea  
apud eos acciderat) ne-  
cauerunt. Ex quo tem-  
pore, tantae discordiae se-  
quutae sunt, vt tyranni  
existerent, & optimates  
exterminarentur, &  
praeclearissime constitu-  
ta Respublica dilabere-  
tur.

O.iiii.

Nec

## de Officijs.

Nec verò solum ipsa cecidit, sed etiam reliquam Græciam euertit contagionibus malorum, quæ à Lacedemonijs profectæ, manarunt latius.

Quid? nostros Gracchos Tiberij Gracchi summi viri filios, Africani nepotes, nonne agrariæ contentiones perdiderunt? At vero Aratus Sicyonius iure laudatur: qui cum eius ciuitas. L. annos à tyrannis teneretur, profectus Argis Sicyonem, clandestino introitu vrbe est positus, cumque tyrannum Nicoclem improviso oppressisset, sexcentos exules, qui fuerant eius ciuitatis locupletissimi restituit, Remque publicam, aduentu suo liberauit.

Sed cum magnam animaduerneret in bonis & possessionibus difficultatem quod & eos, quos ipse restituerat, quorum bona alij pos-

Not truely they state onely hadde a fall, but also it ouerthrow the rest of Greece with the infections of mischiefees, which springing from the Lacedemonians, did flow farther abroad? What of our Gracchus, Tiberius Gracchus, the noble mans sonnes, Africanus childrens children: did not landstrives bring them to destruction?

But in deede Aratus the Sicionian is rightfully commended? Who, when his Citie was fiftie yeares withholden by tyrants: beeing departed from Argos to Sicion, with a priuie stolne entrie, got possession of the Citie: and when vpon a sodayne, hee had ouerthrowen the tyrant Nicocles: hee restored home agayne sixe hundred bannisht men, who had bene the greatest possessioners of the Citie: and by his coming set the common weale at libertie.

But when hee perceiued the great inconuenience in the goods and possessions, because



cause both hee thought it very vnreasonable, that they should lacke whome hee himselfe had restored, whose goods other had possessed, and againe to remooue fiftie yeares possession, hee iudged it not very indifferent: because that in so long a space, much by inheritance, much by sale, much by dower, was holden without wrong, hee thought it was necessarie: neither the goods to be taken from them, nor those to bee vnsatisfied, whose that had bene befoze. When hee had then determined, that hee should neede money, for the ordering of the matter, hee sayde hee would make a boiage to Alexandria: and commaunded the matter to remain vntouch ed vntill his returne.

And hee with speed went to Ptolomeus, who had bene his intertainer, which then raigned the second after the building of Alexandria: to whom when he had declared that hee was minded to set his countrie at libertie: and had informed him of the case: the noble

federant, egere iniquissimum arbitrabatur: & L. annorum possessiones mouere, non nimis equum putabat, propterea, quod tam longo spacio multa hereditatibus, multa emptionibus, multa dotibus tenebatur sine iniuria, iudicauit, neque illis adimi, neque his non satisfieri, quorum illa fuerat, oportere.

Cum igitur statuisset opus esse ad eam rem constituendam pecunia, Alexandriam se proficisci velle dixit, remque integram ad reditum suum iussit esse.

Isque celeriter ad Ptolomeum suum hospitem venit, qui tum regnabat alter post Alexandriam conditam, cui cum exposuisset, patriam se liberare velle, causamque docuisset: a rege opulento vir summus facile impetrauit, vt  
O.v. gran-

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grandi pecunia adiuuatur.

Quam cūm Sicyonem attulisset, adhibuit sibi in consilium quindecim principes: cum quibus causas cognouit, et eorum qui aliena tenebant, & eorum qui sua amiserant, perfecitq; æstimandis possessionibus, vt persuaderet alijs, vt pecuniam accipere mallent, & possessionibus cederent: alijs vt commodius putarent numerari sibi quod tanti esset, quam suum recuperare.

Ita perfectum est, vt omnes constituta concordia, sine querela discederent.

O virum magnum, dignumque, qui in nostra Republica natus esset. Sic par est agere cum ciuibus, non (vt bis iam vidimus) ha-

man soone obtained of þe rich king, to bee aided with a masse of money. Which when hee had brought into Sicion, hee tooke to him in counsaile fyftee of his nobles, with who hee examined the cases both of them who dyd withhold oþer mens, and of theyrs, who had lost theyr owne, and dyd put these fyftee in commissiõ for the valuing of possessiones, and to perswade some, that they would bee willinger to take money, and to release theyr possessiõ, and other some to think, that to haue as much payde them in value, it were more profit, then to recouer theyr owne. So it came to passe, that they all departed without complaint by a well ordered concord.

A man of much honour, & worþhie to haue beene boꝛne in our common weale.

Thus it is meete to deale with Citizens, and not (as twice already wee haue seene  
to

in pitch sale staffe in the mar-  
kept place, & to put the goods  
of the Citizens in the cryers  
mouth. But that Greeke  
thought meete to prouide for  
all, which was the part of a  
wise and a worthy man. And  
that is the greatest discretion  
& wisdom of an honourable  
Citizen to defend, not to pull  
away the citizens commodi-  
ties, and to containe them all  
within one manner of equity.  
But some will say, men may  
dwell rent free in anothers  
house, why so? That when  
I haue bought it, haue built  
it, dooe repaire it, dooe lay  
charges vppon it, thou shouldest  
haue the vse of mine a-  
gainst my will? What is this  
else, but from some to take  
theyr owne, and to some to  
giue other menues. And as  
for the new Tables, what  
reason haue they, but that you  
may buy land wyth my mo-  
ney, and possesse it your selfe,  
and yet I may not haue my  
money.

stam in Foro. ponere,  
& bona ciuium voci-  
subijcere præconis.

At ille Græcus (id  
quod fuit sapientis &  
præstantis viri) omni-  
bus consulendum pu-  
tauit.

Eaque est summa ra-  
tio, & sapientia boni  
ciuis, commoda ciuium  
defendere, non diuelle-  
re: atque omnes equi-  
tate eadem contine-  
re.

Habitant gratis in a-  
lieno. Quid ita? Ut  
cum ego emerim, ædi-  
ficauerim, tucar, impen-  
dam, tu me inuito fruare  
meo? quid est aliud quàm  
alijs sua eripere, alijs dare  
aliena?

Tabulæ vero no-  
uæ, quid habent argu-  
menti, nisi vt cinas  
mea pecunia fundum,  
& cum tu habeas, ego  
non habeam pecuni-  
am?

Quam-



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Quamobrem ne sit æs alienum, quod Reipub. noceat, prouidendum est, quod multis rationibus caueri potest, hoc si non fuerit, vt locupletes suum perdant, debitores lucrentur alienum. Nec enim vlla res vehementius Rempublicam continet quam fides: quæ esse nulla potest nisi erit necessaria solutio rerum creditarum. Nunquam vehementius actum est, quàm me Consule, ne solueretur. Armis & castris tentata res est ab omni genere hominum & ordine, quibus sic restiti, vt totum hoc malum de Republica tolleretur. Nunquam nec maius æs alienum fuit, nec melius nec facilius dissolutum est.

Fraudandi enim spe sublata, soluendi necessitas consequuta est.

At vero, hic noster victor, nunc quidem vi-

wherefore it must bee prouided, that there bee no debte which may hinder the common weale, which thing may bee looked to many waies, if this bee not suffered, that possessioners loose not theyr owne, noz debtors gaine other mens.

For nothing more strongly preferueth a common wealth then faithfulnessse, which can bee none at all, except ther bee of necessitie a payment of things loned. For neuer more earnestly it was gone about, then when I was Consull, that there should bee no payments. The matter was attempted wpyth Speare and sheeld, by euerie sort and degree of men, whom in such wise I withstood, that this so great a mischiefe was rooted out of the common welth.

Neuer was there more debt, neyther better noz easier payde. For when hope of defrauding was token away, necessitie of payment followed.

But this our conquerour  
now

now verely conquered, hath compassed those things which hee purposed, wheras now hee is neuer a whit the better.

So great was his desire to dooe naughtely, that euen the berie dooing of naughtinesse delgghted him, although hee had no occasion. They then who shall vphold the common weale, must keepe them away from this manner of large gifts, that to some they bee giuen, and from other they bee taken, and specially must giue their dilligence, that by equitie, law, and iudgement, euerie man may hold his owne, and neither the poozer sort, for their small abilitie bee deceived by couin, nor enuy may hinder the rich, epther to keepe or recouer their owne. Moreover, by what meanes so euer they can, either in Warre or peace, let them inlarge the common weale wpth dominion, land, and custome.

These bee the deedes of noble men, these were practised among our auncestours.

et us, quæ cogitarat, cum ipsius intererat, ea perfecit, cum eius iam nihil interesset.

Tanta in eo peccandi libido fuit, vt hoc ipsum cum delectaret peccare, etiam si causa non esset. Ab hoc igitur genere largitionis, vt alijs detur, alijs auferatur, aberunt ij, qui Rempublicam tuebuntur. Inprimisque operam dabunt, vt iuris & iudiciorum æquitate suum quisque teneat: & neque tenuiores, propter imbecillitatem circumueniantur: neque locupletibus ad sua vel tenenda, vel recuperanda obsit inuidia. Præterea quibuscunque rebus, vel bello, vel domi poterunt, Rempublicam augeant, imperio, agris, vestigalibus.

Hæc magnorum hominum sunt, hæc apud maiores nostros factitata,

Hæc

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Hęc genera officiorum qui persequuntur, cum summa vtilitate Reipublicę, magna ipsi adipiscuntur, & gratiam & gloriam.

In his autem vtilitatum p̄ceptis, Antipater Tyrius Stoicus, qui Athenis nuper est mortuus, duo p̄terita censet esse à Panętio, valetudinis curationem, & pecunię.

Quas res à summo philosopho p̄teritas arbitror, quod essent faciles, sunt tamen certę vtilēs.

Sed valetudo sustentatur notitia sui corporis, & obseruatione, quę res aut prodesse soleant aut obesse: & continentia in victu omni atque cultu, corporis tuendi causa, & p̄termittendis voluptatibus: postremo arte eorum, quorū ad scientiam hęc pertinent. Res autem familiaris quę

These kindes of dueties who so follow, shal with very great profit to the common weale, gette themselves both great fauour and glozie.

But in these p̄cepts of profit, Antipater of Tyre, the Stoike, who a late dyed at Athens, thynkes, that two p̄ceptes bee ouer leaped of Panętius, tendering of health, and p̄uision of money.

which things I suppose to haue beene ouerpasse by the noble Philosopher, because they were light matters, yet without doubt they bee profitable.

But health is p̄serued by knowledge of ones owne body, and marking those things which are wont either to dooe good or harme, & by a staydenesse both in all a mans dyet, and apparel, for cherishing of the body, and also for bearing pleasures, and lastly, by their cunning, to whose sciēce these things pertaine.

But a mannes substance must



must bee gotten, by those things which be far from dishonesty, and must be saued by diligence, and honest sparing, and by those same meanes also, it must bee encreased.

Xenophon the Socratician hath gon through these things very handsomely, in that booke which is intituled *Economicus*, the which we turned out of Greeke into latine, when wee were at the same age in a manner as you are now.

But comparing of profits (because this fowerth place was ouer passed by *Paneticus*,) is oftentimes by necessity. For both the gifts of the bodie, are wont to bee compared with fortunes gifts, and also fortunes gifts with the bodies gifts, and those of the bodie one with an other, and those that fortune giues, lykewise one with an other. The bodyes gifts bee compared with fortunes, after this sort, that he had rather be in helth, than be rich. Fortunes gifts bee compared with the bodies

ri debet ijs rebus, a quibus abest turpitudine, conseruari autem diligentia & par simonia, eisdem etiam rebus augeri.

Has res commodissime Xenophon Socraticus persecutus est in eolibro, qui *Oeconomicus* inscribitur: quem nos ista ferè ætate cum essemus, quæ es tu nunc, e grecis in latinum conuertimus.

Sed vtilitatum comparatio ( quoniam hic locus erat quartus a *Panetio* prætermisus ) sæpe est necessaria.

Nam & corporis commoda cum externis & externa cum corporis: & ipsæ inter se corporis: & externa cum externis comparari solent.

Cum externis corporis, hoc modo comparantur, valere vt malis, quam diues esse.

Cum corporis externa, hoc

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hoc modo, diues esse potius quàm maximis corporis viribus.

Ipsa inter se corporis, sic: vt bona valetudo voluptati anteponatur, vires celeritati. Externorum autem, vt gloria diuitijs, vectigalia urbana rusticis.

Ex quo genere comparationis illud est Catonis senis: a quo cùm quaeretur quid maxime in re familiari expediret: respondit, bene pascere.

Quid secundum? satis bene pascere: Quid tertium? bene vestire.

Quid quatum? arare.

Et cùm ille, qui quaesierat dixisset: quid facerari. Tum Cato, quid dominem, inquit, occidere?

Ex quo, & multis alijs intelligi debet, utilitatum comparationes solere fieri: & rectè hoc adiunctum esse quartum exquirendorum

in this wyse, that you had rather bee rich, than of verie great strength.

Those of the body bee compared one with an other, thus that good helth bee preferred beefore pleasure, and strength beefore swiftnesse.

But fortunes giufts be compared together, this way that glozie bee esteemed beefore riches, and Citie tribute beefore the Countries.

Of the which kinde of comparison is that saying of Cato to the olde manne, of whome when it was demanded, what was most profitable for a mā's substance, hee made answer, to feede well, what the second. To feede sufficiently well, what the thirde. To clothe well, what the fourth, to plow. And when hee, who had moued the question had sayd, what to lende vpon besury? then what is it, quoth Cato to kill a man?

Wherebpon, and of many other things it ought to be gathered, that comparisons of profyts are wont to be made, and that this is verie well

well adioyned for the fourth  
point of searching out of due-  
ties.

But of this whole matter  
of getting money, of bestow-  
ing the same, and also of  
using it, far better it is dis-  
puted by certaine honest men,  
sitting at the middle Tane,  
than of any Philosophers in

any schoole, yet are they  
to bee knowne, and of  
them in this Booke

wee  
haue treated. The rest  
will we prosecute  
heereaf-  
ter.

officiorum genus.

Sed toto hoc de gene-  
re, de quaerenda, de col-  
locanda pecunia, etiam  
de vtenda, commodius  
a quibusdam optimis vi-  
ris ad Ianum medium  
sedentibus, quam ad  
vllis philosophis vlla in-  
schola disputatur.

Sunt tamen ea cog-  
noscenda. Perti-  
nent enim ad  
vtilitatem,  
de qua hoc libro dispu-  
tatum est. Reliqua  
deinceps perse-  
quemur.

P.

M.



## de Officijs

M. TVLLII CICE-  
ronis, de officijs  
Liber ter-  
tius.

MARCVS TVLLIVS  
Ciceroes third booke of  
duties to Marcus his  
Sonne.



**P**UBLIVM  
Scipionem ,  
Marce fili ,  
eum, qui pri-  
mus Africa-  
nus appellatus est, dice-  
re solitum scripsit Ca-  
to, qui fuit ferè eius  
æqualis, nunquam se-  
minus otiosum esse,  
quàm cùm otiosus : nec  
minus solum, quàm cùm  
solus esset.

Magnifica verò vox  
& magno viro ac sa-  
piente digna : quæ de-  
clarat illum, & in otio  
de negotijs cogitare, &  
in solitudine secum lo-  
qui solitum, vt neque  
cessaret vnquam, & in-  
terdum colloquio alte-  
rius non egeret. Itaque  
duæ res, quæ languorem  
afferunt cæteris, illum



**T**he same Publi-  
us Scipio, sonne  
Marke, who the  
first Africanus  
was named,  
wold commonly, as Cato hath  
written, who was in a  
maner, his like in yeers: That  
he was neuer more leasurelesse  
than when he was leasurefull:  
& neuer lesse alone, than when  
he was all alone. A noble say-  
ing surely, and meete for a  
worthie and wise man : which  
declareth, that hee both in his  
leasure was wont to muse of  
matters to bee done, & also in  
his solitarinesse, too debate  
them with himselfe, so as hee  
was nothing idle at any time,  
and sometime needed not the  
communication of other. And  
so these two things, leasure,  
and solitarinesse, which  
bzing a dulnesse bpon other,  
made

made him the quicker . I would wish, that wee likewise might truely say þ very same. But although by imitation, wee are not able to attayne so great excellence of witte, yet doubtlesse in desire wee come neere.

For both by wicked warre and power, being put of from common weale matters and iudiciall causes, wee take our quiet leasure , and for that cause leauing the Citie, and walking abroad in the countre, often times we bee alone. But neither this leasure is to bee compared with Africanus leasure : nor this solitarie with that of his.

For hee ceasing from the goodly ministration of the common weale, toke himselfe leasure other while, and from the ppease and resort of men, now and then into a solitary place, as into a hauen, withdrew himselfe, but our leasure comes not of desire of rest, but for lacke of businesse. For seeing the Senate is deposed, and iudgements abolished :

acuebant, otium & solitudo. Vellem & nobis hoc idem verè dicere liceret. Sed si minus imitatione tantam ingenij præstatiā consequi possumus : voluntate certe proximè accedimus. Nam & à Rep. forensibusque negotijs, armis impijs, vique prohibiti, otium persequimur, & ob eam causam vrbe relicta, rura peragrantes, sæpe solus sumus. Sed nec otium hoc cum Africani otio, nec solitudo hæc, cum illa comparanda est. Ille enim requiescens à Reip. pulcherrimis muneribus otium sibi sumebat aliquando, & à coetu hominum, frequentiaque interdum tanquam in portum se in solitudinem recipiebat. Nostrum autem otium negotij inopia, non requiescendi studio constitutum est.

Extincto enim senatu, deletisque iudicijs :  
P ii. quid

## de officijs.

quid est, quod dignū nobis, aut in curia, aut in foro agere possimus?

Ira quī in maxima celebritate, atque in oculis ciuium quondam viximus, nunc fugientes conspectum sceleratorum, quibus omnia redundant, abdimus nos quantum licet, & sepe soli sumus. Sed quia sic ab hominibus doctis accepimus, non solum ex malis eligere minima oportere: sed etiam excerpere ex his ipsis, si quid in esset boni: propterea et otio fruor, non illo quidem, quo debeat is, qui quondam peperisset otium ciuitati. Nec eam solitudinem languere patior, quam mihi affert necessitas, non voluntas.

Quanquam Africanus maiorem laudem meo iuditio assequebatur, nulla tamen eius ingenii monumenta mandata literis, nullum opus otii, nullum solitudinis munus extat.

what is there, that eyther in court, or in place of plea, meet for vs, wee may dooe.

Therefore wee, who in the greatest assemblie, and in the eyes of the Citizens sometime haue lyued, now flying the sight of the wycked, wyth whom all places swarme, doo withdraw our selues as much as wee may, & are often times alone.

But beecausue thus wee haue heard of learned men, that not onely of euyls wee ought to choose the least, but also if there were any goodnesse in them, to picke it out, therefore both I inioyn quietnesse, not such twis, as hee ought to haue, who once procured quietnesse to the whole Citie, and also dooe not suffer that soletarinesse to ware idle, which necessitie brings vpon mee, and not mine owne desire. Although Africanus dyd get greater prayse, even in my iudgement, yet no monuments of his witte put in wyting, no woork of his quiet lyfe, no fruit of his soletarynesse remaines abroad, whereof



whereof it must needes bee gathered, that hee by earnest occuppyng of his minde, and by bearing out those things, which by musling hee attayned: was neyther idle, nor at any time alone, but wee who haue not so great deepeesse of wit, that by secret musling wee bee drawen from solitarinesse: dooe tourne all our studie and indeauour to this trauaile of wyting. And therefore wee haue written more in a short space, since the state was ouerthrowen, then in many yeeres, when it stood.

But whereas all Philosophie my Cicero, is verie good and fruitfull, nor any part thereof is barring and wast yet no place therein is more yeelding, nor more plentifull, then the place touching duties, from which bee borrow- ed the precepts of liuing constantly and honestly. Wherefore although I trust you dayly heare and receiue this same of our Cratypus, Prince of Philosophers in these dayes, neuerthelesse I

Ex quo intelligi debet, illum, mentis agitatione, inuestigationeq; earum rerum, quas cogitando consequabatur, nec otiosum, nec solum vnquam fuisse. Nos autem, qui non tantum roboris habemus, vt cogitatione tacita à solitudine abstrahamur, ad hanc scribendi operam, omne studium curamq; conuertimus. Itaque plura breui tempore euerfa, quam multis annis stante Rep. scripsimus. Sed cum tota philosophia mi Cicero, frugifera, & fructuosa, nec vilia pars eius inculta ac deserta sit: tamen nullus feracior in ea locus est, nec vberior, quam de officiis, à quibus constanter, honestèque viuendi præcepta ducuntur. Quare quanquam à Cratippo nostro principe huius memorie Philosophorum hæc te assiduè audire, atque accipere confido: tamen

## de Officijs.

conducere arbitror talibus aures tuas vocibus undique circumsonare, nec eas si fieri possit, quicquam aliud audire. Quod cum omnibus est faciendum, qui vitam honestam ingredi cogitant: tum haud scio an nemini potius quam tibi. Sustines enim non paruum expectationem imitandæ industriæ nostræ, magnam honorum, nonnullam fertasse nominis. Suscepisti onus præterea graue & Athenarum, & Cratippi, ad quos cum tanquam, ad mercaturam bonarum artium sis profectus, inanem redire turpissimum est, dedecorantem & urbis authoritatem & magistrum.

Quare quantum con-  
niti animo potes, quantum labore contendere (si discendi labor est potius, quam voluptas)

holde it profitable, that I  
ring about your cares with  
such soundes on euery side, &  
that they if possibly it may  
bee doone, heare none other  
thing, which both is to bee  
doone of all those that minde  
to enter the honest life, and I  
wotte not whether of any  
man more then of your selfe.  
For you carrie an expectati-  
on, not small of following our  
trade, great of comming to  
our honour, some peraduenture  
of attaining to our fame.  
You haue taken vpon you  
moreouer a great charge,  
both by reason of Athens, and  
also of Cratippus, to the  
which seeing, as to the mart of  
good sciences, you haue tra-  
uailed: to retourne emptye,  
a great reproch it is, slay-  
ning the worshipping both of  
the citie, and also of your ma-  
ster. Wherefore as much as by  
wit you are able to compasse,  
as much as by payne you can  
indeauour (if to studie bee  
rather a pain then a pleasure)  
so much see, that you dooe in  
deeds,

deede, and giue no occasion, that seeing all things are sufficed by vs, you should seeme to haue disappointed your self. But of these matters heretherto. For wee haue oftentimes written much vnto you in way of exhortation. Now to the part remayning of the foresayd diuision let vs returne.

Panætius therefore, who without doubt of duties hath most diligently disputed, and whome wee vsing a certaine correction haue chiefeily followed, when he had set forth three kindes, in which men were wont to counsaile and aduise themselves of duetye, the one, when they shoulde doubt whether it, wherewith they were in hande, were honest or dishonest, the other, whether it were profitable or vnprofitable, the third, if that which should haue the shew of honestie, should strue with it, that seemed profitable: how it should bee necessary,

tantum fac vt efficias, nèue committas, vt cum omnia, suppeditata sint à nobis, tute tibi defuisse videare. Sed hæc hæcenus. Multa enim sæpe ad te cohortandi gratia scripsimus. Nunc ad reliquam partem propositæ diuisionis reuertamur.

Panætius igitur, qui sine controuersia de officijs accuratissimè disputauit, quemque nos, correctione quadam adhibita, potissimum sequuti sumus: tribus generibus propositis, in quibus deliberare homines & consultare de officio solerent: vno cum dubitarent honestumne id esset de quo ageretur an turpè: altero vtile ne an inutile: tertio, si id quod speciem haberet honesti, pugnare cum eo, quod vtile videretur: quomodo ea discerni

P.iiij.

opor.



## de Officijs.

oporteret: de duobus generibus primis tribus libris explicauit: de tertio autem genere, deinceps se scripsit dicturum, nec exoluit id quod promiserat. Quod eo magis miror, quia scriptum à discipulo eius Possidonio est, triginta annos vixisse Panætium, postquam illos libros edidisset. Quem locum miror à Possidonio breuiter esse tractatum in quibusdam commentariis: præsertim cum scribat, nullum esse locum in tota philosophia, tam necessarium. Minimè verò assentioris, qui negant eum locum à Panætio præmissum: sed consulto relictum, nec omnino scribendum fuisse, quia nunquam posset vtilitas cum honestate pugnare. De quo alterum potest habere dubitationem, adhibendum ne fuerit hoc genus, quod in diuisione Panætii tertium est,

those same to bee discerned: of the first two kindes, in three bookes hee opened his minde: and of the third kinde hee wrote, hee would speak afterward: and that dyd hee not performe, which hee had promysed, whereat I meruaile the more, beecaue it is written by his scholler Possidonius, that Panætius liued thirtie yeeres after hee had set forth those Bookes, which place I wonder it was so briefly touched of Possidonius in certayne Abridgements: specially seeing hee writes, there is no place in all Philosophi so necessary.

But in no wise I agree with them, which denye this place did ouerscape Panætius: but that of purpose it was left out, and that it was not to bee written at all, beecaue profit might not strue with honesty. Touching the which, the one may haue in it a doubt, whether this part, which in Panætius diuision is the third, was to bee added, or vtterly to bee left out: the other

other cannot bee doubted of, but of Panetius it was taken in hand, and yet left vntreated. For who so of a thre parted diuision, two parts hath finished, to him the third must needs remaine. Moreover, in his third booke toward the ende, hee promised, that afterwarde hee will speake of this part.

Secreto commeth a substantiall witnesse, Possidonium, who also writeth in a certayne Letter, that Publius Rutilius Rufus, which had heard Panetius, was wont to say. Like as no Paynter might bee found who could finish by that part of Venus, which Apelles had left vnfinished: (for the beauty of hir face tooke away the hope of counterfayting the rest of hir body) so those thinges, that Panetius hadde ouerpassed, and hadde not finished, there was no man to prosecute, because of the excellence of those matters which hee had gone thorough withall, wherefore of

an plane omittendum. Alterum dubitari non potest, quin à Panætio susceptum sit, sed relictum. Nam qui è deuisione tripartita duas partes absoluerit: huic necesse est restare tertiam. Præterea in extremo libro tertio, de hac parte pollicetur se deinceps esse dicturum. Accedit eodem testis locuples Possidonius, qui etiam scribit in quadam epistola Publium Rutilium Rufum dicere solere, qui Panætium audiuerat: vt nemo pictor esset inuentus, qui Veneris eam partem, quam Appelles inchoatam reliquisset, absolueret (oris enim pulchritudo, reliqui corporis imitandi spẽ auferbat) sic ea, quæ Panætius prætermisisset & non perfacisset, propter eorum, quæ fecisset præstantiam, neminem esse persequutum. Quamobrem de  
P.v. iudicio

## de Officijs.

iudicio Panætij dubitari non potest : rectène autem hanc tertiam partē ad exquirēdum officiū ad iunxerit, an secus, de eo fortassē dubitari potest. Nam siue honestum solū bonū est, vt Stoicis placeat : siue q̄ honestum est, id ita summum bonum est (quemadmodum Peripateticis nostris videtur) vt omnia ex altera parte collecata, vix minimi momenti instar habeant: dubitandū non est, quin nunquā possit vtilitas cū honestate contēdere. Itaq; accepimus Socratem solitum execrari eos, qui primum hæc natura coherencia opinionione distraxissent. Cui quidem ita sunt Stoici assensi, vt et quicquid honestum esset, id vtile esse censerent: nec vtile quicquam q̄ nō honestum. Qd' si is esset Panætius, qui virtutem p̄pterea colendam diceret, qd' ea efficiens vtilitatis esset: vt ij, qui res expetendas,

Panetius iudgement, it cannot bee doubted, but whether he to the searching out of due tie, this third part adioyned well or no, thereof peradventure it may bee doubted. For whether honestie be the onely good, as liketh the Stoikes, or else honestie in such sort be the seueraigne good (as seemeth to our Peripaterikes) that they count all things set on the other side of very small weight in comparison, it is not to bee doubted, but that profit can neuer be at strife w̄ honestie. Therefore wee haue heard say, Socrates was wont to curse them, who first parted a sunder in opinion these that by nature were coupled together, to whom doubtlesse the Stoikes so assented, that what so were honest, the same also they iudged to bee profitable, nor any thing to bee profitable which were not honest. If Panetius were the man who should say, that vertue therefore should bee honoured, beecaue it is the causer of profit, as they, who measure things meete



to bee desired eyther by pleasure, or by griefefulnesse: hee might maintayne, that honestie sometime strives with profit. But seeing he is the man who iudgeth that only good, which is honest, and that mans lyfe is made euer the better, by increase of such things, as bee repugnaunt to honestie, vnder a certayne shew of profit, nor by decrease of them the worse, it seemes hee should not haue brought in such manner taking of aduise ment, where in that, which should seeme profitable, should bee compared with that which is honest. For that which of the Stoike is called the soueraigne good, as to liue agreeable to nature, it hath (as I suppose) this meaning, with vertues alwaies to agree, and other things which should bee according to nature so to chose: if to vertue they were not repugnant. Which seeing it is so, some suppose, this comparison was not well brought in: nor any thing at all, touching the braunch

vel voluptate, vel indolentia metiuntur, liceret ei dicere honestatem, aliquando cum vtilitate pugnare. Sed cum sit is, qui id solum bonum iudicet quod honestum sit: quæ autem huic repugnent specie quadam vtilitatis, eorum neque accessione meliorem vitam fieri, nec decessione peiorem, non videtur huiusmodi debuisse deliberationem introducere: in qua quod vtile videretur, cum eo quod honestum est, comparatur. Etenim quod summum bonum à Stoicis dicitur, conuenienter naturæ viuere, id habet hanc (vt opinor) sententiam naturam cum virtute congruere semper, cætera autem, quæ secundum naturam essent, ita legere, si ea virtuti non repugnarent. Qd' cum ita sit, putant quidem hanc comparationem non esse rectè introductā, nec omnino de eo genere quicquam præci-

## de Officijs.

præcipiendum fuisse. Atque illud quidem honestum, quod propriè verè que dicitur, id in sapientibus est solis, neque à virtute diuelli vnquam potest. In ijs autem in quibus sapientia perfecta nō est, ipsum illud quidem perfectum honestum nullo modo, sed similitudines honesti esse possunt. Hæc enim omnia officia, de quibus his libris disputamus, media Stoici appellant: & ea communia sūt, & latè patent quæ & ingenij bonitate multi assequuntur, & progressionē discendi. Illud autem, qd' rectum ijsdem appellat perfectum atq; absolutū est: et vt ijsdem dicūt, omnes numeros habet, nec præter sapientem cadere in quemquā potest. Cū autē aliquid actum est in quo media officia compareāt, id cumulatè videtur esse perfectum, ppter ea qd' vltimus quid absit a perfecto, ferè non ex toto intelligit: quatenus autem in-

should haue been taught And surely that honesty which is properly and truely so called, is in the wise onely, and from vertue can neuer bee seuered, but in those in whome is not perfect wisdom, doubtlesse that same perfect honesty can in no wise bee, semblaunces of honesty there may bee.

All those dueties therefore, wherby in these books wee dispute, the Stoikes call the meane dueties: and those bee common duties, and dooe spread farre, which manye attaine both by goodnesse of wit, and by going forward in learning. But that which they call Rectum, is the perfect and absolute dutie, and as they also say, it hath all his parts, neyther can happen to any, but a wise man. And when any thing is done, wherein the meane dueties may appeare, it seemeth to be fully perfect, beecause the common people almost vnderstandeth not at all, what it wanteth of perfect, but as farre as they vnderstand, they

they thincke nothing is left  
 vndoone. And whereas it  
 commonly chaunceth in mee-  
 ters and paintings, & in other  
 things moze, & the vnskilfull  
 bee delighted, & prayse those  
 things that are not to be pray-  
 sed, for that cause I beleeue  
 they do so, that in those ther is  
 some good grace, that catcheth  
 the ignorant, who indeede be  
 not able to discerne, what fault  
 is in euery thing. And there-  
 fore when they bee taught of  
 the skilfull, they soone fall  
 from their opinion. The Sto-  
 icks then say, that these due-  
 ties, wherebpon in these  
 bookes wee treat, bee (as  
 who sayth) certayne second  
 sorts of honestie, not proper  
 onely to the wise, but common  
 also to all manner of men.  
 Therefore all bee alured with  
 these, in whom there is a fooz-  
 wardnesse of vertue. And  
 when the two Decij, for the  
 two Scipius bee vouched for  
 manly men, or else when Fa-  
 britius or Aristides, bee al-  
 leaged as iust, neyther for  
 them for manlynesse, nor of  
 these for iustice, the example is

telligit, nihil putat pre-  
 termissum. Quod autē in  
 Poematibus & in pictu-  
 ris vsu venit, in alijsque  
 compluribus, vt delectē-  
 tur imperiti, laudētq; ea,  
 quę laudanda nō sint, ob  
 eam credo causam, quod  
 insit in his aliquid pro-  
 bi, & capiat ignaros, qui  
 iidem quid in vna qua-  
 rē; re, vitij sit, nequeant  
 iudicare. Itaq; cum sint  
 docti à peritis, facile de-  
 sistunt à sententia. Hęc  
 igitur officia, de quibus  
 his libris defferimus, qua-  
 si secunda quædam ho-  
 nestia, dicunt esse, non  
 sapientium modo pro-  
 pria, sed cum omni ho-  
 minum genere commu-  
 nia. Itaque his omnes, in  
 quibus est virtutis indo-  
 les, commouentur. Nec  
 vero cum duo Decij,  
 aut duo Scipiones, for-  
 tes viri commemorantur,  
 aut cum Fabritius, aut  
 Aristides iusti nomi-  
 nantur, aut ab illis for-  
 titudinis, aut ab his iu-  
 stitæ, tanquam à sapien-  
 tibus,



## de Officijs.

tibus petitur exemplum. Nemo enim horum sic sapiens est, vt sapientem volumus hic intelligi. Nec ij, qui sapientes habiti sunt & nominati M. Cato, & C. Lelius sapientes fuerunt, nec illi quidem septem, sed ex mediocriorum officiorum frequentia, similitudinem quandam gerebant, speciemq; sapientum. Quocirca nec id, quod vere honestum est, fas est cum utilis repugnantia comparari: nec id quod communiter appellamus honestum, quodq; collitur ab ijs, qui bonos se viros haberi volunt, cum emolumentis vnquam est comparandum. Tanq; id honestum, quod in nostram intelligentiam cadit, tuendum, conseruandum que nobis est, quam illud quod proprie dicitur, vereque est honestum sapientibus. Aliter enim teneri non potest, si qua ad virtutem est facta progressio.

brought, as of perfect wise men. For none of these in such sort is wise, as in this place we will haue a wise man taken: nor Marcus Cato, and Caius Lelius, who were counted and called wise, were perfect wise men: no nor these seuen sages of Greece: but by the often using of the mean & common dutes, they bore a certayne semblance and shew of wise men. Wherefore neyther is it lawfull that the thing which in deed is honest, be compared with the contrarietie of the profitable, neither that which commonly wee call honest, and which is exercised of them who wyl haue themselves good men to bee counted with commodities at any tyme is to bee compared, and as well that honestie which falleth into our vnderstanding, is of vs to bee maintained and kept as that is, of the wise, which properly is called, and indeed is honestie. For other wise it cannot bee holden on, if there bee attayned any proceeding to vertue.

But

But this wee save by them  
who by keeping of dueties are  
esteemed for good men.

But who dooe measure all  
things, by profits, and com-  
modities, & will not the same  
to bee overwayed w<sup>th</sup> hone-  
stie, these are wont in advise-  
ment taking, to compare ho-  
nestie with it, which they re-  
ken profitable, good men vse  
not so to dooe. Therefore I  
thincke, Panetius, when hee  
saith, men are wont in this  
comparison too doubt, ment  
the verie same that he spake,  
that men onely are wont, but  
not that they must needes.

For not onely to iudge the  
thing, that seemeth profita-  
ble more worth than y<sup>e</sup> which  
is honest, but also to compare  
these together, and in them  
to cast doubts, a very foule  
crime it is.

What is it then, that many  
times is wont too bring a  
doubtfulnesse: and seemeth  
meete to bee considered? I  
suppose it is, if at anye tyme  
there befall a doubtfulnesse?  
what manner of thing it is  
whereof consideration is taken

Sed hæc quidem de ijs,  
qui conseruatione offi-  
ciorum existimantur bo-  
ni. Qui autem omnia  
metiuntur emolumen-  
tis & commodis, neque  
ea volunt præpondera-  
ri honestate, hi solent  
in deliberando, hone-  
stum cum eo, quod v-  
tile putant, comparare:  
boni viri non solent.

Itaque existimo Panæ-  
tium cū dixerit homi-  
nes solere in hac compa-  
ratione dubitare, hoc ip-  
sum sensisse, quod dix-  
erit, solere modo, non  
etiam oportere. Etenim  
non modo pluris puta-  
re quod utile videatur,  
quā illud quod hone-  
stum, sed hæc etiam in-  
ter se comparare, & in  
his dubitare turpissimum  
est.

Quid est ergo, quod  
nonnunquam dubita-  
tionem afferre soleat,  
considerandūquē vide-  
atur? Credo si quando du-  
bitatio accidit, quale sit  
id, de quo consideretur.

Sæpe

## de Officijs.

Sepe enim tempore fit, vt quod plerumq; turpe haberi soleat, inueniatur non esse turpe. Exempli causa, ponatur aliquid quod pateat latius.

Quod potest esse maius scelus, quàm non modo hominem, sed etiam familiarem occidere? Num igitur se obstrinxit scelere, si quis tyrannum occidit, quamuis familiarem? populo quidem Romano non videtur, qui ex omnibus præclaris factis illud pulcherrimum existimat. Vicit igitur utilitas honestatem, immò vero honestas utilitatem secuta est. Itaq; vt sine vllò errore diiudicare possimus, si quando cum illo, quod honestum intelligimus, pugnare id videbitur, quod appellamus utile, formula quædam constituenda est, quam si sequemur in comparatione rerum, ab officio nunquam recedemus.

For often by the time, it comes to passe, that it which for the most part is wont to bee counted dishonest is found not to bee dishonest. For examples sake let there bee put some case, that more largely extendeth, what greater mischief can there bee than one to kill not onely a manne but also his familiar? hath he than guiltid himselfe of murder who hath slaine a Tyrant, although hee were his familiar? To the people of Rome doubtlesse it seemeth not so, who of all worthy deedes esteemeth that the noblest, with them therefore profit passed honesty: yet rather honestie followed after profit.

Therefore that without any error wee may bee able to iudge, if euer that which wee call profitable, shall seeme too striue with it, which is knowne for honest: a certaine rule is to bee appoynted, which if wee will follow in the comparison of things, from duetye wee shall neuer swarue.



And this rule shall bee most agreeable with the trade and doctrine of the Stoikes: which verely in these booke wee therefore follow, because although of the auncient Academikes, and our Peripatetikes (who wer once all one with the Academikes) those things, which bee honest bee preferred before such as seeme profitable: yet these more goodly bee disputed of the Stoikes, to whome what so is honest, y<sup>e</sup> same semeth profitable: and nothing semes profitable which is not honest, than it is of those who reckē somewhat to bee honest & not profitable, or somewhat profitable, & not honest. But to vs our Academia gieues great libertie: that whatsoeuer most prouable comes in place, the same by our prerogatiue wee may lawfully defend. But I returne to the rule. To pull away then any thing from an other, & a man to encrease his commodities wyth an other mans discomfort, it is more against nature: than death, than pouertie, than payne,

Erit autem hæc formula Stoicorū rationi, disciplinæq; maximè consentanea: quā quidem in his libris propterea sequimur, qd' quanquam a veteribus Academicis & Peripateticis nostris (qui quodā idem erant, qui Academici) quæ honesta sunt ante ponuntur ijs, quæ videtur vtilia: tamen splendidiùs hæc ab eis differuntur, quibus quicquid honestū est, idē, vtile videtur, nec vtile quicquā, qd' non honestū: quā ab ijs, quibus aut honestū aliquid non vtile, aut vtile non honestum est. Nobis autem nostra Academia a magnam licentiam dat, vt quod cumque maxime probabile occurrat, id nostro iure liceat defendere. Sed redeo ad formulam. Detrahere igitur aliquid alteri, & hominem hominis in commodo suū augere commodum, magis est contra naturam quam mors, quam paupertas, quam dolor, quam

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cetera, quę possunt aut corpori accidere, aut rebus externis. Nam principio tollit conuictū humanum & societate. Si enim sicerimus affecti, ut propter suum quisq; emolumentum spoliaret aut violenter alterum, disrumpi necesse est eam, quę maximē est secundum naturā, humani generis societatem. Ut si vnumquodq; membrum sensum hunc haberet, ut posse putaret se valere, si proximi membri valetudinem ad se traduxisset, debilitari & interire totum corpus necesse esset, sic si vnusquisq; nostrum rapiat ad se commoda aliorum detrahatque quod cuique possit, emolumenti sui gratia, societas hominum & communitas euertatur necesse est.

Nam ut sibi quisque malit quod ad vsum vitę pertineat quam alteri acquirere, concessum est non repugnante natura,

and other things which may happen either to the body, or to the outward state. For first of all it takes away the conuersation, and fellowship of men. For if wee shalbee so disposed: that euery man for his owne commoditie, spoile and wrong an other: the fellowship of mankinde which is most according to nature, must needes bee broken. As if euery part of the body should haue this imagination: to thinke it might bee strong, if it had conueyed to it selfe the strength of the next limmes: of force it should follow, & the whole body should bee weakened, and perish, euen so if euery one of vs catch to himselfe the commodities of other, and pulleth from each man what hee can for his owne profits sake, the fellowshippe, and common company of men must needes bee ouerthrowen. For it is sufferable, and nature not against it: & euery mā be more willing for himself, than for an other man to get what so pertaineth to the vse of his life.

This

This doubtlesse, Nature doth not suffer, that w<sup>th</sup> the spoyle of other, wee increase our riches, substaunce, and wealth. And not onely it is ordained by nature, that is to wit, by the vniuersall law of Nations, but also in lyke manner, by the lawes of people, whereby in euerie Citie the common wealth is vpholden, that it should not be lawfull for a mannes owne profits sake to hurt another. For the lawes tende to this, and this they meane, that the fellowshippe of Citizen bee in safetie, which who so riuie a sunder, those with death, banishment, prisonment, and penalties they punish. And this much more doth the beere course of nature require, which is the law of God and man, & which who so is willing to obey (all truely w<sup>ll</sup> obey it, that haue a minde to liue according to nature) shall neuer so offend, that another mans goods hee would couet, and take to himselfe that hee hath pulled from another. For much more according

Illud quidem natura non patitur, vt aliorum spolijs nostras facultates, copias, opes augeamus. Neque verò hoc solum natura, id est, iure gentium, sed & legibus populorum, quibus in singulis ciuitatibus Respublica continetur, eodem modo constitutum est, vt non liceat sui commodi causa nocere alteri. Hoc enim spectant leges, hoc volunt incolumem esse ciuium coniunctionem, quam qui dirimunt, eos morte, ex illo, vinculis, damno coercent. Atque hoc multò magis exigit ipsa naturæ ratio, quæ est lex diuina & humana: cui parere qui velit (omnes autem parebunt, qui secundum naturam volunt viuere) nunquam committet, vt alienum appetat, & id quod alteri detraxerit, sibi assumat. Etenim multò magis est secundum  
 Q ij. natu-



## de officijs.

naturam celsitas & animi magnitudo, itemque communitas iustitia, liberalitas, quàm voluptas, quàm vita, quàm diuitiæ. Quæ quidem continere & pro nihilo ducere comparantem cū vtilitate communi, magni animi & excelli est. Detrahere autem alteri sui commodi causa magis est contra naturam, quàm mors, quàm dolor, quàm cetera generis eiusdē. Itēq; magis est secundum naturam pro omnibus gētibus (si fieri possit) conseruandis, aut iuuandis maximos labores, molestiasq; suscipere, imitantes Herculem illum, quem hominum fama beneficiorum memor in concilio cēlestiū collocauit: quàm viuere in solitudine non modo sine vllis molestiis, sed etiam in maximis voluptatibus abundantem omnibus copijs, vt excellas etiam pulchritudine & viribus.

to nature is the highnesse and greatnesse of courage: and likewise common fellowship, iustice and liberalitie: then pleasure, then lyfe, then riches.

Which things doubtlesse for a man to despyse and set at naught, in comparyson of common profit: is a signe of a great and haughty courage. But to pull from another for ones owne profit sake, is more against nature, then death, then sorow, then the rest of the same kinde.

And in like manner, more according to nature it is, for the sauing and aiding of nations (if it mai possible be done) to vndertake great trauailes and paynes following. That notable Hercules whome mens report (the recorder of deserts) hath placed in the companie of them aboue: then to liue in solitarinesse, not only without any paynes, but also in great pleasures, flourishing full of all riches, yea, though moreouer you may excell all other in beautie and strength.

Where

wherefore euerye man of the best and most noble disposition, preferreth that lyfe farre before this. Wherof it comes to passe, that a man obedient to nature cannot hurt a man.

Furthermoze, who so wrongeth another, that himselve may get some commoditie, eether beleeues that hee doth nothing agaynst Nature, or weenes that hee should shun death, pouertie, sorrow, the losse also of chyldzen, kinnsfolk, friends, rather then the dooing of iniurie to any man. If hee thincketh nothing to be done agaynst nature, in wronging of men? What shuld you reason with him which cleane takes away man from man? But if hee plainely thincketh that meet to be auoided: & yet these hee deemeth much worse, death, pouertie, sorrow, hee is in this point out of y<sup>e</sup> way, that he taketh any discomoditie, either of the bodie, or of fortune to bee sozer, then y<sup>e</sup> vices of the minde.

Therefore there must bee in all menne one entent:

Quocirca optimo quisque splendidissimoque ingenio longè illam vitam huic anteponebat. Ex quo efficitur, hominem naturæ obediētem, homini nocere non posse.

Deinde, qui alterum violat, vt ipse aliquid commodi consequatur, aut nihil se existimat contra naturam facere, aut magis fugiendam cēset mortem, paupertatem, dolorem, amissionem etiam liberorum, propinquorum, amicorum, quā facere cuiuspiam iniuriam. Si nihil existimat contra naturam fieri hominibus violandis, quid cū eo differas, qui omnino hominem ex homine tollat? Sin fugiendum id quidem censet, sed multò illa peiora mortem, paupertatem, dolorem, errat in eo, quod vllum aut corporis aut fortunæ vitium, animi vitijs grauius existimat.

Ergo vnum debet esse omnibus propositum,

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Ut eadem sit utilitas vniuers cuiusque & vniuersorum: quam si ad se quisque rapiat, dissoluetur omnis humana consociatio. Atque si etiam hoc natura præscribit, ut homo homini quicunque sit, ob eam ipsam causam, quod is homo sit, consultum velit: necesse est secundum eandem naturam, omnium utilitatem esse communem. Quod si ita est, vna contineamur omnes, & eadem lege naturæ. Idque ipsum, si ita est, certè violare alterum, naturæ lege prohibemur.

Verum autem primum, verum igitur & extremum. Nam illud quidem absurdum est, quod quidam dicunt, parenti se aut fratri nihil detracturos commodi sui causa. Sed aliam rationem esse ciuium reliquorum. Hi sibi nihil iuris & nullam societatem communis utilitatis causa statu-

that a lyke may bee the profit of euery free man, and of all vniuersally. Which profit if each man plucke vnto himselfe, all mans fellowship shall bee dissolued. And if nature dooth also appoynt this, that man would haue men provided for, whatsoeuer hee bee, yet euen for the same respect, beecause hee is a man, it must needes followe, that according to the same nature, the profit of all bee in common. Which if it bee so, wee all bee contayned in one, and the like law of nature. And if the same bee so, doubtlesse by the law of nature, wee are forbidden one to wrong another.

Now, the antecedent is true, therefore true also is the consequent. For that verely is reasonlesse, that some say, from their parent or brother, they wyl take nothing away, for cause of theyr owne profit, but of other Citizens, that there is another respect to bee had. These be in opinion, that they haue no law nor fellowshippe to keepe wth



Citizens, for a common purpose sake, which opinion doth rip a sunder all the societie of a Citie.

And they that say, there must regard bee had of Citizens, and none of forreiners, doe rive a sunder the common fellowshippe of mankind, which beeing destroyed, all bountifullnesse, liberalitie, goodnesse, and iustice, is utterly rooted vp, which who so take away, euen toward the Gods immortal, are to bee counted irreligious. For such doe overthrow the fellowshippe by them among men ordained. Of the which fellowshippe the surest bonde is to thincke it to bee more against Nature, for one man to vse extortion to another, for his owne profits sake, then to suffer all discommodities, eyther outward, or of the body, or of the mind: which happen without iust deserving. For this vertue Iustice, of all vertues is the laste and Queene.

unt esse cum ciuibus : quæ sententia omnem societatem distrahit ciuitatis.

Qui autem ciuium rationem dicunt esse habendam, externorum negant, hi dirimunt communem humani generis societatem : qua sublata, beneficentia, liberalitas, bonitas iustitia funditus tollitur. Quæ qui tollunt, etiam aduersus deos immortales impij iudicandi sunt, ab his enim constitutam, inter homines societatem euertunt : cuius societatis arctissimum vinculū est, magis arbitrari esse contra naturam, hominem homini detrahere sui commodi causa, quam omnia incommoda subire vel externa, vel corporis, vel etiam ipsius animi, quæ vacent iustitia. Hæc enim vna virtus, omnium est domina & regina virtutum.

Q.iiii.

For-

## de Officijs.

Forſitan quiſpiam dixerit, nonne igitur ſapiens ſi fame ipſe conficiatur, abſtulerit cibum alteri homini ad nullam rem vtili? minime vero, non enim mihi eſt vita mea vtilior, quam animi talis affectio, neminem vt violem commodi mei gratia.

Quid ſi Phalarim crudelem tyrannum & immanem vir bonus, ne ipſe frigore conficiatur, veſtitu ſpoliare poſſit, non ne faciat? Hæc ad iudicandum ſunt facillima.

Nam ſi quid ab homine ad nullam partem vtilitatis tuæ cauſa detraxeris, inhumanè feceris, contraque naturę legem. Sin autem is tu ſis, qui multam vtilitatem Reip. atq; hominum ſocietati, ſi in vita remaneas, afferre poſſis, ſi quid ob eam cauſam alteri detraxeris, non ſit reprehendendū. Sin autē id non ſit eiꝰſmodi, ſuum cuiq; incommodū ferendū eſt,

Peraduenture ſome will ſay, ſhall not then the wiſe man, if hee bee driuen by famine, take away meat frō another man good for nothing, no doubtleſſe.

For my life is no more profitable to mee, then ſuch a diſpoſition of minde, & I wrong no body for my profits ſake. What if a good man could ſpoyle the cruell and beaſtly tyrant Phalaris of his cloathing, that hee ſhould not die for could himſelfe? might hee not dooe it? Theſe bee full caſe to iudge.

For if you take ought from a man on no beehalfe profitable, for loue of your owne commoditie: yee ſhall doo vnkindely, and againſt the law of nature: but if you bee the man, who may bring much profit vnto the cōmon weale, and the fellowſhippe of men, if you remaine aliue: in caſe yee take away ought from another, vppon that conſideration: it is not to be reprovꝰd, but if the matter ſtandeth not, eue ſo euery man muſt rather beare his owne diſcommoditie,

ric, then pull away of ano-  
thers commodities. Sicknes  
then oz pouertie, oz any such  
like, is not moze against na-  
ture, then extorcion and gree-  
dinesse of another mannes  
goods. But to leaue alone the  
common profit, is against na-  
ture, for it is vniust.

Therefore the verie law  
of nature, which preserueth  
and maintaineth mens profit,  
appoineth without doubt,  
that from the idle and vnpro-  
fitable man, necessarie things  
to liue with, bee conueyed to  
the wise: the good & the man-  
ly man: who if hee should dye  
for want, should draw away  
with him much of y<sup>e</sup> common  
profit: and yet so he must doo  
it, that neither by ouerwee-  
ning in himselfe, nor loueing  
of himselfe too well, hee make  
this a pretended coulour to  
do wrong. Therefore alwaies  
let him dooe his duetie, prou-  
ding for the profit of men, and  
that fellowship among men,  
which I oftentimes repeate.  
for as touching Phalaris  
case, y<sup>e</sup> iudgemēt is very easie.

potius quam de alteri-  
us commodis deirahen-  
dum. Nō igitur magis est  
contra natura morbus  
aut egestas, aut quid e-  
iusmodi, quam detractio  
atque appetitio alieni.  
Sed communis vtilita-  
tis derelictio contra na-  
turam est: est enim in-  
iusta. Ita q; lex ipsa natu-  
re, quę vtilitatē hominū  
cōseruat et cōtinet, decer-  
nit perfectō, vt ab ho-  
mine inertī, atq; inuti-  
li ad sapientem, bonum,  
fortemq; virum trans-  
ferantur res, ad viuendū  
necessarię, qui si occide-  
rit, multum de commu-  
ni vtilitate detraxerit:  
modo hoc ita faciat, vt  
ne ipse de se bene existi-  
mans, seseque diligens,  
hanc causam habeat ad  
iniuriam. Ita que semper  
officio fungatur vtilita-  
ti consulēs hominum &  
ei, quam sępe comme-  
moro, humanę societa-  
ti. Nam qd' ad Phalarim  
attinet, perfacile iudici-  
um est.

Q.v.

Nulla



## de Officijs.

Nulla enim nobis cum tyrannis societas est, sed potius summa distractio: neque est contra naturam spoliare eum si possis, quem honestum est necare. Atque hoc omne genus pestiferum atque impium ex hominum communitate exterminandum est. Etenim, ut membra quædam amputantur, si & ipsa sanguine & tanquam spiritu carere cœperunt, & nocent reliquis partibus corporis: sic ista in figura hominis feritas & immanitas beluæ à communi tanquam humanitate corporis segreganda est. Huius generis quæstiones sūt omnes eæ, in quib<sup>9</sup> ex tempore officiū exquiritur. Eiusmodi igitur credo res Panætium persecuturum fuisse, nisi aliquis casus aut occupatio consilium eius peremisset. Ad quas ipsas consultationes, ex superioribus libris satis multa præcepta sunt,

For with Tyrants wee haue no societie, but rather bee at extreme dissention with them, neither is it agaynst nature to spoile him if yee can, whom it is honest to kill, and all such pestilent and wicked rabbles are to bee driven out of the companies of men.

For euen as certayne limmes bee cut off, if they once beegin both to lacke bloud and lyfe, (as you would say) and alldoe hurt the other parts of the body: so this sauagenesse and crueltie of a beast, vnder the shape of a manne, must bee parted (as it were) from the common naturallesse of a mans bodie.

Of this sort bee all those questions, wherein duetie is sought out by circumstance of tyme.

Such matters therefore I beleeue Panætius would haue treated of, had not some chaunce or businesse preuented his purpose. Concerning which manner of taking of aduiseement, in my bookes afoze, many things bee sufficiently taught, by which

which, it may bee perceived,  
what is to bee auoided for  
dishonestie, & what is not to  
bee hymned, beccause it is not  
dishonest.

But forasmuch as of our  
woorke begunne, yet almost  
ended, (now as who sayth )  
wee set on the roofe, as the  
Grometers are woont not to  
prooue all, but to require that  
certaine things bee graunted  
them, to the intent they maye  
more easly set out theyr pur-  
pose: so doe I require of you  
my Cicero, that yee graunt  
mee, if yee may, that nothing  
but that which is honest,  
is for it selfe to bee desired.

But if it may not bee gran-  
ted, beccause of Cratippus,  
yet this no doubt you will  
graunt mee, that the thing  
which is honest, is chiefly for  
it selfe to be desired. Whether  
yet wil is enough for mee, and  
both the one and the other  
seemes the more prouable,  
neither any thing else appea-  
reth prouable.

And first in this poynt  
Panætius is to bee defended,

quibus perspici possit,  
quid sit propter turpitu-  
dinem fugiendum, quid  
sit id, quod idcirco fugi-  
endum non sit, quia om-  
nino turpe non sit.

Sed quoniam operi in-  
choato, prope tamen ab-  
soluto, tanquam fastigi-  
um imponimus, vt Ge-  
ometrae solent non om-  
nia docere, sed postulas  
re, vt quadam sibi con-  
cedantur, quò facilius  
quæ velint explicent; sic  
ego à te postulo, mi Ci-  
cero, vt mihi concedas si  
potes, nihil præter id,  
quod honestum sit, esse  
propter se expetendum.

Sin hoc non licet, pp-  
ter Cratippum: at illud  
certe dabis, quod hone-  
stum sit, id esse maximè  
propter se expetendum.  
Mihi vtrum vis satis est,  
& tum hoc, tum illud,  
probabilius videtur: nec  
præterea quicquam pro-  
babile.

Ac primum Panætius  
in hoc defendendus est,  
quod

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quòd non vtilia cum honestis pugnare aliquando posse dixerit (neque enim ei fas erat) sed ea quæ viderentur vtilia. Nihil vero vtile quod non idem honestum: nihil honestum, quod non idem vtile sit sepe testatur: negatq; vllam pestem maiorem in vitam hominum inuasisse, quam eorum opinionem, qui ista distraxerint.

Itaque non vt aliquando anteponeremus vtilia honestis: sed vt ea sine errore dijudicemus, si quando incidissent, induxit eam, quæ videretur esse, non quæ esset, repugnantiam.

Hanc igitur partem relictam explebimus, nullius adminiculis, sed (vt dicitur) Marte nostro.

Neque enim quicquam de hac parte post Panætium explicatum est, quod mihi quidem probaretur, de ijs,

because he said not, that profitable things anye tyme strue with honest (for it was not lawfull for him so to say) but those which seeme profitable might strue with honestie. But hee often witnesseth, that nothing is profitable, which same is not honest, nor honest, which same is not profitable: and hee denieth any greater pestilence to haue crept into mans life, thē their opinion, who haue diuided these two a sunder.

Therefore hee brought in the repugnance, which dyd seeme to bee, and was not indeede: not that at any time we should preferre profitable things beefore honest: but that without error we might discern them, if euer they fell in place.

This part therefore left vntouched, wee will supply wth no others ayde, but (as they say in warre) euen with our owne force. For touching this parcell, there hath beene, since Panætius wrote, nothing sette out that



that liked mee, of all that euer  
came to our handes.

Therefore, when any  
shew of profit is offered  
us, wee must needes bee stir-  
red: but if when yee giue  
good heede, yee see disho-  
nestie ioynd with that thing  
which bringeth a shew of  
profit, then the profit is  
not to bee desyred, but wee  
must thincke, where disho-  
nestie is, there profit cannot  
bee.

Now, if nothing there bee  
so much against nature as dis-  
honestie, (for nature doth de-  
sire good, and conuenient, and  
shedfast things, and despiseth  
the contrarie) and againe, ther  
is nothing so according to na-  
ture as profit, doubtlesse in y  
same profitable thing, disho-  
nestie cannot bee. And also, if  
wee bee borne to honestie: and  
it is eyther onely to bee des-  
red, as to Zeno it seemed, or  
in all estimation, is to bee  
counted of more value, than  
all other things, as pleaseth  
Aristotle, it must needes  
bee, that the thing which is  
honest, is eyther the onely

quæ in manus meas ve-  
nerunt.

Cum igitur aliqua spe-  
cies vtilitatis obiecta est,  
nos commoueri necesse  
est: sed si cûm animum ac-  
tenderis, turpitudinem  
videas adiunctam ei rei  
quæ speciem vtilitatis  
attulerit, tunc non vtili-  
tas requirenda est: sed  
intelligendum, vbi tur-  
pitudine sit, ibi vtilitatem  
esse non posse.

Quod si nihil est  
tam contra naturam, quã  
turpitudine (recta enim  
& conuenientia & con-  
stantia natura desiderat  
aspernaturque contra-  
ria) nihilq; tam secûdum  
naturam, quàm vtilitas:  
certè in eadem re vtili  
turpitudò esse non po-  
test. Itemque si ad ho-  
nestatem nati sumus, ea-  
q; aut sola expetenda est  
vt Zenoni est visum: aut  
certè omni pondere graui  
or habenda, quam reliqua  
omnia, qd' Aristoteli pla-  
cet: necesse est quod ho-  
nestum sit, id esse aut solû  
aut

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aut summum bonum :  
quod autem bonum id  
certè vtile. Itaque, quic-  
quid honestum, id vtile.  
Quare error hominum  
non proborum cum ali-  
quid, quod vtile visum  
est, arripuit id conti-  
nuo secernit ab hone-  
sto.

Hinc sicæ, hinc venæ-  
na, hinc falsa testamen-  
ta nascuntur : hinc fur-  
ta, peculatus, expilatio-  
nes, direptionesque so-  
ciorum & ciuium : hinc  
opum nimiarum poten-  
tiæ non ferendæ, postre-  
mo etiam in liberis ciui-  
tatibus existunt regnan-  
di cupiditates : quibus  
nihil nec tetrius, nec fœ-  
dius excogitari potest.  
Emolumenta enim re-  
rum fallacibus iudicijs  
vident, poenam non di-  
co legum, quas sæpe per-  
rumpunt, sed ipsius  
turpitudinis, quæ acer-  
bissima est, non vident.

or the soueraigne good, and  
what so is good, the same  
doubtlesse is profitable. And  
so all that is honest, is profit-  
table. Wherfore when the er-  
rour of men not honest, hath  
caught hold of somewhat that  
seemeth profitable, by & by it  
diuides the same from honesty.

Heereof murther, heereof  
poysoninges, heereof coun-  
terfait willes doo spring, heereof  
of fellonie, heereof robbing the  
treasurie, pillage, and extorci-  
ons from league friends, and  
Citizens, heereof groweth the  
power of two exceeding ri-  
ches, not to be suffered, and fi-  
nally in free Cities, there bee  
the desires of ruling, whereas  
nothing eyther more cruell,  
then they, or more detestable  
can bee imagined.

For with Deceivable eyes  
they see the gaine of things,  
but the punishment I will  
not say, of the lawes which  
they often break through, but  
of dishonesty it selfe, which is  
sorest of all, they see not.

Where

wherefore let such takers of  
advisement be driven from a-  
mong vs ( for they are alto-  
gether wicked and bugodly )  
who vse advisement whether  
they may follow that, which  
seemes to be honest, or witting-  
ly starve themselves with dis-  
honesty. For in þ very doubt-  
ing a great fault there is, al-  
though they neuer come to  
þ doing of it. Therefore those  
things are not to bee advised  
on at all, in which the very ta-  
king of advisement is disho-  
nest.

And also in all delibera-  
tion, the hope, and opinion of  
concealing, & hiding of mat-  
ters is to bee put away.

For fully (in case wee haue  
any whit profited in philoso-  
phy) wee ought to bee per-  
swaded, though wee could  
hide it from all goddes, and  
men, that nothing yet coue-  
tously, nothing vniustly, no-  
thing wantonly, nothing vn-  
stayedly is meete to bee done.

Heere vpon that Gyges is  
brought in by Plato, who  
when the Earth had opened  
in certayne great stormes

Quamobrem hoc qui-  
dem deliberantium ge-  
nus pellatur e medio  
(est enim totum scele-  
raturum & impium ) qui  
deliberant vtrum id se-  
quantur, qd' honestum  
esse videant, an se sci-  
entes scelere contami-  
nent.

In ipsa enim dubita-  
tione facinus inest, eti-  
am si ad id non perue-  
nerint. Ergo ea delibe-  
randa omnino non sunt,  
in quibus est turpis ip-  
sa deliberatio. Atque  
etiam ex omni delibera-  
tione celandi, & occul-  
tandi spes opinioque re-  
mouenda est. Satis enim  
nobis ( si modo in philo-  
sophia aliquid profeci-  
mus ) persuasum esse de-  
bet, si omnes deos ho-  
minesq; celare possimus  
nihil tamen auarè, nihil  
iniustè, nihil libidino-  
se, nihil incontinen-  
ter esse faciendum.

Hinc ille Gyges induci-  
tur a Platone, qui cum  
terra discessisset magnis  
qui-



## de Officijs.

quibusdam imbris, in illum hiatum descendit, cœneumque equum (vt ferunt fabulæ) animaduertit, cuius in lateribus fores essent, quibus apertis, hominis mortui vidit corpus magnitudine inusitata, annulūque aureum in digito, quem vt detraxit, atque ipse induit (erat autem regius pastor) tum in consilium pastorum se recepit: ibi cum palam eius annuli ad palmam conuerterat, a nullo videbatur, ipse autem omnia videbat: idem rursus videbatur, cum in locum annulum inuerterat. Itaque hac oportunitate annuli vsus, regine stuprum intulit: eaq; adiutrice regem dominum interemit, sustulitque quos obstare arbitrabatur, nec in his quisquam eum facinoribus videre potuit: sic repente annuli beneficio rex exortus est Lydiae.

went downe into the gaping hole: and spied a brazen horse (as the fables tell) in whose sydes were doores: which being opened hee saw the corse of a dead man, of an vnwonted hugeness, and a gold ring vpon his finger: which as sone as he pulled of, hee put it on his own finger (This Gyges was the kings shepard) Then hee got himselfe againe to the company of shephards. There when hee had tourned the head of the ring towarde the palme of his hand: hee was seene of no body, yet hee saw euery thing: and hee was seene agayne, when hee hadde turned the ring in sight. And so vsing this vantage of the ring, hee lay with the Queene: and by hir ayde, hee slew the king his mayster: and made dispatch of them, whome hee thought to stand in his way. Nether could any man see him being about these mischeuous deedes.

So by the commoditie of his ring, hee beecame sodenly king of Lydia.

This

This same ring then if a perfect wise man should haue he wold thinck it no moze lawfull for him to offend, than if hee had it not. For honest things, not secret things, by good men bee sought. And in this place certain philosophers and those not of the worst, but yet not all of the finest, say: that Plato told a fayned and deuised fable, as though hee defendeth, that eyther thing was done, or was possible to bee doone.

This is the effect of this ring and of this example: if no man should know or no man should once suspect, when you should dooe any thing for regard of riches, power, rule, or lust, yea if it should bee knowne for euer both of God and man: whether you would dooe it or no. They denie it possible to befall, & although it cannot so befall in deede, yet I demand, in case that might befall, which they deny to bee possible, what would they doo? They force on grossely in good sooth.

Hunc igitur ipsum anulum si habeat sapiens, nichilo plus sibi licere putet peccare, quam si non haberet. Honesta. n. bonis viris, non occulta queruntur.

Atque hoc loco philosophi quidam, minime mali illi quidem, sed non satis acuti, fictam, & commentitiam fabulam dicunt prolatam a Platone, quasi vero ille aut factum id esse, aut fieri potuisse defendat. Hec est vis huius anuli & huius exempli: si nemo sciturus, nemo suspicaturus quidem sit, cum aliquid diuitiarum, potentiae, dominationis, libidinis causa feceris: si id dijs, hominibusque futurum sit semper ignotum, sis ne facturus? Negant id fieri posse, quanquam non potest id quidem.

Sed quaero: quod negant posse, id si posset, quidnam facerent? Vrgent sane rustice: ne-

R.

gant

## de Officijs

gant enim posse, & in eo perstant.

Hoc verbum, si, quid valeat, non vident.

Cum enim quaerimus, si possint celare, quid facturi sint, non quaerimus, possint ne celare: sed tanquam tormenta quaedam adhibemus: ut si responderint se impunitate proposita facturos, quod expediat, facinorosos se esse fateantur: si negent, omnia turpia per se ipsa fugienda esse concedant.

Sed iam ad propositum reuertamur. Incidunt saepe multae causae, quae conturbant animos utilitatis specie, non cum hoc deliberetur, relinquenda ne sit honestas propter utilitatis magnitudinem (nam id quidem improbum est) sed illud, possit ne id, quod utile videatur, fieri non turpiter.

For they holde, it is impossible, and therein they stay still,

What this word, if, importeth, they see not. For when wee demaund, if they bee able to conceale, what they will dooe? wee dooe not demaund whether they bee able to conceale it or no, but wee laye beefore them as it were the racke, and certayne manekes, that if they aunswere, they would doe what them liked, beeing sure to scape scot-free, they confesse them selues to be wicked: if they say, they would not they graunt all dishonest things for them selues meete to bee eschewed. But now let vs retourne to our purpose.

There dooe often times befall diuers matters, which trouble mens minds, vnder a shew of profit, not when this is aduised vpon whether honesty is to be left for the greatnesse of profit (for that plainly is wicked) but whether the thing which seemeth profitable may bee doone without dishonestie.

When



when Brutus tooke away the rule from Collatinus Tarquinus, his Office fellow, hee might haue bene thought to dooe it vniustly, for in drawing out the kinges, hee had bene Brutus assistant, & aider also of his counsellis.

But when the rulers had agreed thus in counsell, that the kindred of Superbus, and the name of the Tarquinians, and the memorie of the kingdom, should be vtterly driuen out, because it was profitable to prouide for their country, the same was in such wise honest, that euen verie Collatinus ought to haue liked it. And so profit preuailed, because of honestie, without which, profit could not haue bene at all.

But with the king, who builded this Citie, it fared not so. For a shew of profit strake in his minde, to whom when it appered more profitable for him to rule alone, then to another he slew his brother. This man forgot both godlinesse,

Cum collatino Tarquinio Collegæ Brutus imperium abrogabat: poterat videri facere id iniuste, fuerat enim in rebus expellendis socius Bruti consiliorum & adiutor.

Cum autem consilium hoc principes cepissent: cognationem superbi, nomenque Tarquiniorum, & memoriam regni esse tollendum, quod erat vtile patrie consulere, id erat ita honestum, vt etiam ipsi Collatino placere deberet. Itaque vtilitas valuit propter honestatem, sine qua nec vtilitas quidem esse potuisset.

At in eo rege, qui urbem condidit, non ita. Species enim vtilitatis animum impulit eius, cui cum visum esset vtilius solum se, quam cum altero regnare, fratrem interemit.

Omisit hic & pietatem

R.ij.

&

## de officijs.

& humanitatem, vt id, quod vtile videbatur, neque erat, assequi posset: & tamen muri causam opposuit speciem honestatis, nec probabilem, nec satis idoneam.

Peccauit igitur, pace vel Quirini vel Romuli dixerim.

Nec tamen nostre nobis vtilitates omittendæ sunt, alijsque tradendæ, cum his ipsi egeamus: sed suæ cuique vtilitati, quod sine alterius iniuria fiat, seruiendum est.

Scitè Chrysippus, vt multa: Qui stadium (inquit) currit, cuncti & contendere debet, quam maximè possit, vt vincat: supplantare eum, quicum ceter, aut manu, depellare nullo modo debet.

and naturalnesse, & hee might obtaine the thing that seemed profitable, and was not so indeede, and yet his brothers leaping ouer the wall hee also leaddged, for a coulour of honestie, nerther allowable, nor sufficient incough.

Hee offended therefore, that by Quirinus, Romulus fauour I may say it notwithstanding we ought not to leue our owne commodities, & giue them to other, whē our selues dooe neede the same, but euery man must serue his owne profit so far, as without anothers iniurie it may bee doone.

Fearly sayd Chrysippus in this, as hee dyd in many things more, who so quoth he, runneth in the race, ought to endeanour & labour as much as hee may, that himselfe may win the game, but in no wise hee ought to trippe him, with whom hee runnes, or to keepe him of with his hand.

So, in this life it is not unlawfull for enery man to get him'selfe that may serue his vse, but to pull from all other, it is not right.

But most of all dueties be put out of order in feiendshipes, in the which it is against duetie, both not to doe, that rightfully you maye, and to dooe, that is not lawfull. But of all this matter a short and no hard rule there is.

For these, which seeme profitable, honours, riches, pleasures, and other of the same kinde, are neuer to be preferred afore friendshippe. And a good mā for his friends sake, neither will doo against the common weale, neither against his oath and promise, no not though he shal be iudge vpon his owne friend. For he puts of the personage off a friend, whē he takes vpo him the person of a iudge. Thus much hee shall learne to friendship, that hee had rather his friends cause were true, and that hee will graunt him time througly to plead his cause,

Sic in vita sibi quēque petere, quod pertineat ad vsum, non iniquum est: alteri deripere, ius non est.

Maximē autem perturbantur officia in amicitijs, quibus & nō tribuere, quod rectē possis, et tribuere, quod non sit æquum, contra officium est.

Sed huius generis totius breue & non difficile præceptum est. Quæ enim videntur vtilia, honores, diuitiæ, voluptates, ceteraq; generis eiusdem, hæc amicitia nunquam anteponanda sunt. At neque contra Rempublicam, neque contra iusiurandum, ac fidem amici sui causa vir bonus faciet, nec si iudex quidem erit de ipso amico. Ponit enim personam amici, cum induit iudicis. Tantum dabit amicitia, vt veram amici causam esse malit, & vt perorandę liti tempus,

R.iii.

quod



## de Officijs.

quod per leges liceat, accommodet. Cum verò iurato dicenda sententia sit, meminerit, Deum se adhibere testam, id est, (vt ego arbitror) mentem suam, qua nihil homini dedit Deus ipse diuinius. Itaque præclarum a maioribus accepimus morem rogandi iudicis (si eum tenerimus) quæ solua fide facere possit. Hæc rogatio ad ea pertinet, quæ paulo ante dixi, honestè amico à iudice posse concedi.

Nam si omnia facienda sint, quæ amici velint, non amicitiae tales, sed coniurationes putandæ sunt.

Loquor autem de communibus amicitijs, nam in sapientibus viris atque perfectis, nihil potest esse tale.

Damonem & Pythiam Pythagoreos ferunt hoc animo inter se fuisse, vt cum eorum alteri Dionysius tyrannus, diem necis destinauisset,

as much as by the law hee may. But when by his oath he is to giue sentence, he must remember hee taketh God to witnesse, that is to meane (as I suppose) his conscience, for nothing more godlye then it is, hath God himselfe giuen to man.

Therefore of our auncestors wee haue receiued a goodlie manner of desiring the fouour of a iudge, if wee would keepe it: To dooe what hee may sauing his oath. This request is referred to those things which a little beefore is said, might honestly bee graunted by a Iudge to his friend. For if all things should bee doone which friends would desire, such were to bee counted, not amities, but conspiracies.

I speake now of common friendshippes. For in menne wise and perfect, there can bee no such thing. When say that Damon and Pythias, the Pythagorians, were so affectioned one towarde another, that when Dionysius the tyrant had appoynted, one of them his dying day,  
and

and he, who was condemned to dye: had required certaine dayes of respite, for the disposing of his things: the other became bound bodie for body, for his fourth comming, vpon condition, that if hee returned not at his day, hee would himselfe dye for him, who when at his day hee was come againe, the tyrant wondering at their faithfulness, required if they wold take him in for the third in their friendship, when therefore that which in friendship seemeth profitable, is compared with that which is honest, let the shew of profit yeeld, and honestie preuaile.

But when in friendship those things shall bee required which bee not honest, let religion and brightness bee preferred before friendship, and so shall that choise of duty bee had, which wee seeke after. But vnder the shew of profit, in the common weale, there is oftentimes dooing amisse, as our men dyd in the razing of Corinth.

& is, qui morti addictus esset, paucos sibi dies commendandorum suorum causa postulauisset: vas factus est alter eius sistendi: vt si ille non reuertisset ad diem moriendum esset ipsi.

Qui cum ad diem se recepisset, admiratus eorum fidem tyrannus petiuit, vt se in amicitiam tertium ascriberent.

Cum igitur id, quod vtile videtur in amicitia, cum eo quod honestum est, comparatur, iaceat vtilitatis species, valeat honestas. Cum autem in amicitia, quæ honesta non sunt, postulabuntur: religio & fides anteponantur amicitia. Sic habebitur is, quem exquirimus, delectus officij. Sed vtilitatis specie in Republica sapissime peccatur, vt in Corinthi disturbance nominis.

R.iiij.

Du.

## de Officijs.

Durius etiam Athenienses qui statuerunt, vt Aeginetis, qui classe valebant, pollices præciderentur. Hoc visum est vtile, nimis enim imminabat propter propinquitatem Aegina Piræo.

Sed nihil, quod crudele, vtile. Est enim hominum naturæ, quam sequi debemus, maximè inimica crudelitas.

Malè etiam, qui peregrinos vrbibus vti prohibent, eosque exterminant: vr Petronius, apud patres nostros, Papius nuper.

Nam esse pro ciue, qui ciuis non sit, rectum est non licere, quam tulerunt legem sapientissimi consules Crassus & Scæuola, vsu vero vrbis prohibere peregrinos, sanè inhumanum est. Illa præclara sunt, in quibus publicæ vtilitatis species præ honestate contemnitur. Plena exemplorum est nostra Respublica, cùm sæpe alias,

Sozer also dealt the Athenians, who made a decrees, that the Eginets thombes, who were skilled in nauigation, should bee cut off. This was thought profitable: for Egina dyd too much ouerlooke Pireum, by reason of h̄ neere bordering. But nothing that is cruell is profitable. For to mans nature, which we ought to follow, crueltie is most enemie.

They also dooe cuell, who barre straungers from vsing their Citie, and dooe bannish them, as dyd Petronius in our fathers daies, and Papius of late peeres.

For one to goe for a citizen who is no Citizen, it is reason, it should not bee lawfull, the which law the very wise Consuls, Crassus, and Scæuola dyd make: but to forbidde straungers the vse of the Citie, it is doubtlesse an vnciuill part. Those dooings bee notable, wherein shew of common profit is despised, in respect of honestie. Our common weale is ful of examples, both often at other times, and  
chiefelye



chiefely in the second Punicke warre, which after the overthrow taken at Cannas, hadde greater courages then euer in prosperitie, no token there was of feare, no mention of peace. So great is the force of honestie, that it dimmeth the shew of profit.

When the Athenians no way were able to withstande the assault of the Persians, and were determined, that leauing the Citie, and setting their wiues and children in Trozen, they would take their ships and defend the libertie of Greece with their nauie, one Cysillus they stoned to death, who perswaded with them to keepe still the citie, and receiue Xerxes. And hee seemed to folow profit: but that was none, where honesty gainestood it. Themistocles after the victorie of that battayle, which was holden with the Persians, sayd in the open assemblye, that hee had wealeful counsel for the state, but it was not expedient, it should bee openly known,

tum maximè bello Punico secundo, quæ Cannensi calamitate accepta maiores animos habuit, quam vnquam rebus secundis. Nulla fuit timoris significatio, nulla mentio pacis. Tanta vis est honesti, vt speciem utilitatis obscurer.

Athenienses cum Persarum impetum nullo modo possent sustinere, statuerentque, vt vrbe relicta, coniugibus & liberis Troezenē depositis, naues conscenderent, libertatemque Græciæ classe defenderent, Cysilum quendam suadentem, vt in vrbe manerent, Xerxemque reciperent, lapidibus obruerunt. Atque ille sequi utilitatem videbatur: sed ea nulla erat repugnante honestate. Themistocles post victoriam eius belli, quod cum Persis fuit, dixit in concione se habere consilium, Reipublicæ salutare, sed id sciri opus non esse,  
R.v. postu.

## de Officijs.

postulauit vt aliquem  
populus daret, qui cum  
communicaret. Datus  
est Aristides.

Huic ille, classem La-  
cedæmoniorum, quæ  
subducta esset ad Gythe-  
um, clam incendi posse  
quo facto frangi Lacedæ-  
moniorum opes necesse  
esset.

Quod Aristides cum  
audiuisset, in concionem  
magna expectatione ve-  
nit: dixitque perutile  
esse consilium, quod The-  
mistocles afferret, sed  
minimè honestum.

Iaque Athenienses  
quod honestum non es-  
set, id ne vtile quidem  
putauerunt: totamque  
eam rem, quam ne au-  
diuerant quidem, autho-  
re Aristide repudiaue-  
runt.

Melius hi quàm nos,  
qui piratas impunes,  
socios victigales habe-  
mus.

Maneat ergo, quod  
turpe sit, id nunquam

hee required that the people  
should assigne some man, to  
whom he should tell it. Aristi-  
des was appointed. Hee tolde  
him the Name of the Lacedæ-  
monians, which was con-  
ueyed to Gytheum, might  
priuely bee set a fire, by which  
acte the Lacedæmonians  
strength shoulde of necessitie  
bee abated.

Which thing when Aristi-  
des heard, hee came to the o-  
pen assembly, with their great  
expectation, and sayde, it  
was very profitable counsell,  
which Themistocles dyd  
giue, but nothing honest.

Therefore the Athenians,  
the thing that was not ho-  
nest, dyd not account profita-  
ble at all, and beeing aduert-  
sed by Aristides, they re-  
iected the whole matter,  
which they had not once heard.  
Better dyd they, then wee  
doe, who haue Pirats unpun-  
ished, and league friends tri-  
butarie.

Let this therefore stand  
for a conclusion, that the  
thing which is not honest,

is neuer profitable : no not  
euen then, when yee attayne  
the thing which you reckon  
to be profitable. For the same  
to thinck profitable, which is  
dishonest, a miserable case it  
is.

But often times (as I said  
before) there so befall cases,  
when profit seemeth to striue  
against honesty, that is to bee  
considered, whether altogether  
it doth gainstand it, or may be  
made agree with honestie. Of  
that kinde bee these questions:  
if for examples sake, a good  
man departing from Alexandria  
shal bring to Rhodes a great  
quantitie of corne, in the time  
of scarcitie and famine, and ex-  
treame dearth of corne among  
the Rhodians, in case the same  
man know, that many Mer-  
chaunts bee already set forth  
from Alexandria : and saw  
theyr shippes fraughted with  
Corne, in theyr course, ma-  
ringe towarde Rhodes :  
whether hee ought to de-  
clare it to the Rhodians,

esse vtile : ne tumqui-  
dem, cum id, quod esse  
vtile putes adipiscare.  
Hoc enim ipsum vtile  
putare, quod turpe sit,  
calamitosum est.

Sed incidunt (vt supra  
dixi) sæpe causæ, cum  
repugnare utilitas hone-  
stati videatur : vt ani-  
maduertendum sit, re-  
pugnet ne plane, an pos-  
sit cum honestate con-  
iungi.

Eius generis hæ sunt  
quæstiones. Si exem-  
pli gratia, vir bonus ab  
Alexandria profectus  
Rhodum magnum fru-  
menti numerum ad-  
uexerit in Rhodiorum  
inopia, & fame, sum-  
maque annonæ carita-  
te, si idem sciat com-  
plures mercatores A-  
lexandria soluisse, na-  
uesque in cursu fru-  
mento onustas, peten-  
tes Rhodum viderit :  
dicturus ne sit Rho-  
dij,



## de Officijs.

dijs id, an silentio snum  
quam plurimo venditu-  
rus?

Sapientem & bonum  
virum fingimus, de eius  
deliberatione & consul-  
tatione quærimus: qui  
celaturus Rhodios non  
sit, si id turpe iudicet,  
sed dubitet, an turpe  
non sit.

In huiusmodi causis,  
aliud Diogeni Babylo-  
nio videri solet magno  
& graui Stoico, aliud  
Antipatro discipulo e-  
ius, homini acutissimo.

Antipatro omnia pa-  
refacienda, vt ne quid  
omnino, quod venditor  
norit, emptor ignoret.  
Diogeni, venditorem  
quatenus iure ciuili con-  
stitutum sit, dicere vi-  
tia oportere, cætera sine  
insidijs agere: & quo-  
niam vendat, velle  
quàm optimè vende-  
re.

Aduexi, exposui,

or with silence should sell his  
owne for as much as hee  
might.

Wee put the case heereof a  
wise and good man, touching  
his deliberation & taking of  
aduise ment, wee question, who  
would not hide it from þe Rhos-  
dians, if hee thought it disho-  
nest: but hee doubteth whe-  
ther it bee dishonest or no.

In such manner cases, one  
thing Diogenes the Babylo-  
nian, a great and graue Sto-  
ike, is wont to thinke another  
thing, Antipater his scholler,  
a very sharp witted man.

Antipater holdeth that all  
must bee opened, that the  
buyer be ignorant of no man-  
ner thing, which the seller  
knoweth. Diogenes saith, the  
seller ought to tell the faults,  
that as farre as is appoyne-  
ted by the ciuill law & the rest,  
to dooe without deceits, and  
seeing he selleth, to desire with  
the best aduantage to sell.  
Whether haue I brought it,  
I haue set it forth to sale.

I sell mine for no more then  
 ether doo, perchaunce also for  
 lesse, seeing I haue greater  
 store, to whome is the wrong  
 done: There groweth a dis-  
 putation by Antipater, of the  
 contrarie side, what goe pee a-  
 bout? Sithens pee are bound  
 to profit men, and to serue the  
 fel'owship of man, and pee are  
 bozne vnder such a law, that  
 pee should keepe those princi-  
 ples of nature, which ye ought  
 to obey, and alwaies to folow,  
 that your profit shoulde bee  
 common profit, againe, and as  
 well, comon profit shoulde bee  
 yours: will you hide frō men  
 both what commoditie & what  
 store also is at hand for them.  
 Diogenes peraduenture, will  
 answere thus: It is not all  
 one thing to hide frō men & to  
 hold ones peace, neither doe I  
 now hide it frō pee, though pee  
 tel pee not, what is y<sup>e</sup> nature of  
 gods, what is y<sup>e</sup> end of good,  
 which things well knowen,  
 woulde profit you more,

vendo meum non plu-  
 ris quam cæteri, fortasse  
 etiam minoris, cum ma-  
 ior est copia, cui fit iniu-  
 ria? Exoritur Antipatri  
 ratio ex altera parte.

Quid agis? tute cum  
 hominibus consulere de-  
 beas & seruire humanæ  
 societati: caque lege na-  
 tus sis, & ea habeas prin-  
 cipia naturæ, quibus pa-  
 rere, & quæ semper se-  
 qui debeas, vt utilitas  
 tua communis sit utili-  
 tas, vicissim & æque com-  
 munis utilitas tua sit: ce-  
 labis homines, quid his  
 adsit commoditatis &  
 copiar.

Respondebit Dioge-  
 nes fortasse sic: Aliud  
 est celare, aliud tace-  
 re, neque ego nunc te  
 celo si tibi non dico:  
 quæ natura Deorum  
 sit, quis sit finis bono-  
 rum: quæ tibi plus  
 prodesse cognita,  
 quam

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quam tritici vilitas. Sed non quicquid tibi audire utile est, id mihi dicere necesse est. Immo vero, inquit ille, necesse est, si quidem meministi esse inter homines naturam coniunctam societatem. Memini inquit ille : sed num ista societas talis est, ut nihil suum cuiusque sit? Quod si ita est, ne vendendum quidem quicquam est, sed donandum.

Vides in hac tota disputatione non illud dici, quamuis hoc turpe sit, tamen quoniam expedire faciam, sed ita expedire, ut turpe non sit. Ex altera autem parte, care quia turpe sit, non esse faciendum. Vendat ædes vir bonus propter aliqua vitia, quæ ipse non vitat, cæteri ignorent: pestilentes sint, & habeantur salubres: ignoretur in omnibus cubiculis apparere serpentes: malè materiata,

then the chespnesse of wheat. But it is not necessarie for me to tel, whatsoeuer is profitable for you to heare. Yes he reply saith hee, it is necessary, if so bee, you remember the fellowship knitte among men by nature. I remember it saith he other, but is this fellowship such, that each man may haue nothing of his owne. In case it bee so, nothing bouthelesse is to bee solde, but to bee giuen.

You see, in all this controuersie, this is not said, though it bee vn honest, yet because it is profitable. I will dooe it, but that in such wise it is profitable, as it is not dishonest. And of the contrary side, that therefore it is not to bee done, because it is dishonest. But in case, a good man sell a house for certaine discommodities, which hee knoweth, and other know not, yet case it bee contagious, & is taken for wholesome: be it so, it be vnknown, & in all the chambers dooe appere benimous creping beasts, and that it is euill timbered,

and



and readie too fall, but this none knoweth but the owner, I demaunde, if the seller open not this to the buyers, and selles the house for much more then hee thought, hee should haue done, whether hee doth iustly or vnhonestly? Hee verely doth dishonestly, sayth Antipater.

For what othir thing is it, than not to shew the wanderer his way (which at Athens was forbidden vpon payne of common curses) if this bee not it? to suffer the buyer to rush sodenly and runne headlong by errour into a great descent? yea it is more, then not to show a man the way. For it is wittingly to leade one out of the way into a safe beeliefe.

Diogenes replyeth againe, dyd he compell yee to buy, who not once moued yee to it?

Hee set to sale that lyked him not, ycu bought, that lyked yee.

If they who offer to sell a good farme, and well buydded as they set it out, bee not thought to haue, deceyued,

ruinosę : sed hec præter dominum nemo sciat : quæro si hec emptoribus venditor non dixerit, adeſq; vendiderit pluris multo, quam se venditutum putarit : num id iustē aut improbē fecerit : Ille verò improbē, inquit Antipater.

Quid.n.est aliud erranti viam non monstrare ( quod Athenis execrationibus publicis sancitum est ) si hoc non est, emptorem pati tuere, & per errorem in maximam fraudem incurrere? plus etiam est quam viam non monstrare: nam est scientem in errorem alterum inducere.

Diognes contra : num te emere cogit, qui ne hrotatus quidem est? ille quod non placebat proscripsit, tu quod placebat emisti.

Quod si qui proscribunt villam bonam benequē edificatam, non existimantur fefellisse, etc.

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etiam si illa nec bona est, nec edificata ratione, multo minus, qui domum non laudarunt. Vbi. n. iudicium emptoris est, ibi fraus venditoris quæ potest esse?

Sin autem dictum non omne præstandum est, quod dictum non est id præstandum putas? Quid vero est stultius, quam venditorem eius rei, quã vendat, vitia narrare?

Quid autem tam absurdum, quam si domini iussu ita præco prædicet: domum pestilentem vendo.

Sic ergo in quibusdam causis dubijs ex altera parte defenditur honestas: ex altera ita de utilitate dicitur ut id, quod vtile videatur, non modo facere honestum sit, sed etiam non facere, turpe.

Hæc est illa, quæ videtur vtilium fieri cum honestis sæpe dissensio.

Quæ dijudicanda sunt,

although it bee neyther good nor well buyded, much lesse then they, who haue not praysed theyr house.

For where the buyers eye is his Chapman, there what deceit can there bee of the seller: and if euery saying is not to be perfourmed, thincke yee that ineeete to bee perfourmed, that was not sayde: But what is moze foolish then the seller to tell the faultes of the thing, which hee puts to sale? And what so fonde a hearing is there, as if at the owners commaundemēt, the cryer thus should make a noyes? I haue a contagious house to sell.

Thus therefore in some doubtfull cases, of the one part is honestie defended, of the other part there is speaking of profit, that it is not onely honest to dooe, but also dishonest not to dooe it, that seemeth profitable.

This is that dissention, which seemeth often to bee false beetweene profitable things, and honest, which poynts are to bee discussed.

For

For wee haue not set them forth to make questions, but to open them.

Whee thincke then, neyther that same Rhodian Cornemarchaunt, nor his houseseller ought to haue hidden the foresayd things from the buyers. For whatsoeuer you keepe in silence, you dooe not fully so much, as it is to hide, but when, for your profittes sake, yee would haue those ignorant of that you know, whom it stands vpon to know it. Now this kinde of hiding of what nature it is, and what manner of manners, who seeth not? Doubtlesse it is a part not of a playne, not of a simple, not of a gentle, not of a iust, not of a good man: but rather of a subtile witted, close, wylke, deceitfull, guilefull, crafty, for lyke, and a verie doubler.

These so many, and other moe names of byres to enter into, is it not vnprofitable? If they bee dispraise worthe, who haue helde theyr peace: what is to bee thought of those, who haue

Non enim, vt quærerem<sup>9</sup> exposuimus, sed vt explicaremus.

Non igitur videtur nec frumentarius ille Rhodius, nec hic ædium venditor celare emptores debuisse.

Neque enim id est celare, cum quid reticeas, sed cum quod tu scias, id ignorari emolumentum tui causa velis eos, quorum interfit id scire.

Hoc autem celandi genus quale sit, & cuius hominis quis non videt? Certè non aperti, non simplicis est, non ingenui, non iusti, non viri boni: versuti potius, obscuro, astuti, fallacis, malitiosi, calidi, veteratoris, vafri.

Hæc tot & alia plura, non nè inutile est vitiorum subire nomina?

Quod si vituperandi sunt, qui reticuerunt: quid de ijs existimandum est: qui orationis vanitatem adhibuerunt?

S. C. Can-



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**C.** Cannius eques Romanus, homo nec infacetus, & satis literatus, cum se Syracusas otian-di ( vt ipse dicere solebat ( non negociandi causa contulisset, dicta-bat se hortulos aliquos velle emere, quo inuitare amicos, & vbi se oblectare sine interpellationibus posset.

Quod cum percrebuisset, Pythius ei quidam, qui argentariam faceret Syracusis, dixit venales quidem se hortos non habere, sed licere vti Cannio si vellet, vt suis, & simul ad coenam hominem in hortos inuitauit in posterum diem.

Cum ille promississet, tum Pythius vt argentarius, qui esset aquod omnes ordines graciosus, piscatores ad se conuocauit: & ab his petiuit, vt ante suos hortulos postera die piscarentur: dixit que quid eos facere vellet.

vsed a baimesse of talk. **C.** Cannius, of the Equestrian order in Rome, a man not vnpleasaunt, and welynough learned, when hee had got him to Siracusa, euen for pleasure, and not for busynesse ( as hee was wont to tell ) hee bzuted, that hee would buy some place of pleasure,, whether hee might bid his friends, and where hee might delight himselfe without troubles. Which when it was spred abroad, one Pythius who kept a banke of exchange at Siracusa sayd, that he had in deed a pleasant plot, howbeit not to sell, yet Cannius if it pleased him, might vse it as his owne, and therewith bad him to supper, agaynst the next daye, when hee had promised, then Pythius lyke a banker who was well in fauour with all degrees, called vnto him certayne ffishermen, and requyred them, that the next day they would ffish before his ground, and tolde them what hee would haue them dooe.

Cannius

**Cannius** came at his tyme to Supper. Sumptuously there was prepared a number of Fisherboats were before they eyes. Each man for his part, brought that hee had taken. The fish was powred downe at **Dithius** feete. Then quoth **Cannius**, I pray yee **Dithius**, what is this, that there is so great store of fish, so goodly a sort of boats: what meruaile? quoth hee againe: for whatsoeuer fish there is about **Syracusa**, it is in this place: heere is the watering place, this ground these Citizens cannot well spare, **Cannius** kindled with desire to it, was earnest, with **Dithius**, that hee would sell it him. He made it strange at the first, what neede many words? Hee obtaineth it, the man beeing in loue with it, and rich, bought it for so much as **Pythius** would aske: and bought it furnished: hee putteth in suerties: and makes by the bargain, **Cannius** the next day, desired his acquaintance thether, and came himselfe beetymes:

Ad coenam tempore venit **Cannius**. Erat opiparare à **Pythio** apparatus conuiuium. Cymbarum ante hortulos multitudine, pro se quisque quod ceperat afferebat, ante pedes **Pythij**, pisces abiciebantur. Tum **Cannius**: quæso inquit, quid est o **Pythi**, tantumne piscium, tantumne Cymbarum? Et ille. Quid mirum? inquit: hoc loco est, **Syracusis** quicquid est piscium, hæc aquatio, hac villa isti carere non possunt. Incensus **Cannius** cupiditate, contendit à **Pythio**, vt venderet: grauate ille primo.

Quid multa? Impetrat: emit homo cupidus & locuples, tanti **Pythius** voluit & emit instructos, nomina facit, negotium conficit. Inuitat **Cannius** postridie familiaris suos: venit ipse mature

S.ij.                      scal-

## de officijs.

scalmum nullum videt, quærit ex proximo vicino, num feriæ quædam piscatorum essent, quod eos nullos videret. Nullæ (quod sciam) inquit ille, sed hic piscari nulli solent, itaque heri mirabar, quid accidisset. Stomachari Cannius, sed quid faceret? Nondum enim Aquilius, collega & familiaris meus, pertulerat de dolo malo formulas: in quibus ipsis cum ex eo quæreretur quid esset dolus malus, respondebat, cum esset aliud simulatum, aliud actum.

Hoc quidem sanè luculentur, vt ab homine perito definiendi. Ergo & Pythius, & omnes aliud agentes, aliud simulantes, perfidi, improbi, malitiosi sunt. Nullum igitur factum eorum potest vtile esse, cum sit tot virijs inquinatum. Quòd si Aquiliana definitio vera est, ex omni vita simulatio,

hee saw neuer a boat: hee enquired of his next neighbour, whether it were not some holy day wpth the ffishermen, because hee saw none of them. None that I know, quoth hee: but heere none of them are wont to fish: and therefore yesterday I meruayled what chaunce was befallen. Cantus beegunne to chafe, but what could hee doo: For as yet Aquilius, my office fellow, and familiar, had not set forth the cases that should bee counted couine. In the which same, when I demanded of him, what was Couine: hee answered, when one thing was pretended, and another doone. This doubtlesse was verie playnely answered, as of a man skilfull in defining. Therefore both Pythius, and all that doo one thing, and pretend another, be false, wicked, and guiltfull. No deede then of theirs can bee profitable, when it is with so many faults bespotted. If Aquilius definition bee true, out of all mans life must false preterding



ding, and dissembling be banished. So every good man shall neither falsly pretend nor dissemble, that he may buy or sell the better. And this couine also was punishable by the lawes: as deceitfull gardenship in the twelue tables, and craftie beguiling young men of their goods, by the law Lectorian, and without law by iudgements, where the bill is put in vppon good conscience. But of all other iudgements, these words bee most notable, that bee of course in a case of arbitrement of marriage: the better, the iuster, and in a case of trust or confidence. That among honest men there be honest dealing. What thē? either in that which is the better, the iuster: can there bee any point of couine, or whē it is said, among honest men, let there be honest dealing, can anything deceitfully or guiltfully be dōe? But couin (as saith Aquilius) is contained in fained pretence, and dissimulation. All lying therefore in making of bargaynes is utterly to bee excluded. Let

dissimulatioque tollenda est. Ita, nec vt emat melius, nec vt vendat, quicquam simulabit aut dissimulabit vir bonus. Atque iste dolus malus etiam legibus erat vindicatus, vt tutela, XII. tabulis: & circumscriptio adolescentiū lege Lectoria, & sine lege iudicijs, in quibus ex fide bona agitur. Reliquorum autem iudiciorum hæc verba maxime excellunt, in arbitrio rei vxoriæ, melius, æquius, in fiducia, vt inter bonos bene agier. Quid ergo? aut in eo, quod melius æquius est, potest vlla pars inesse fraudis? aut cū dicitur inter bonos bene agier, quicquam agi dolose aut maliose potest? Dolus autem malus, simulatione & dissimulatione, (vt ait Aquilius) continetur.

Tollendum est igitur in rebus contrahendis, omne mendacium.  
S.iiij. Non

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Non licitatore venditor, nec qui contra se liceatur, emptor opponit, vterq; si ad eloquendum venerit, non plus quàm semel eloquetur. Quintus quidem Sceuola P. filius, cum postulasset, vt sibi fundus, cui<sup>9</sup> emptor erat, semel indicaretur, idque venditor ita fecisset, dixissetque se pluris aestimare, addidit centum millia. Nemo est, qui hoc viri boni fuisse neget, sapientis negant: vt, si minoris quam potuisset, vendidisset. Hæc igitur est illa perniciēs quod alios bonos, alios sapientes existimant. Ex quo Ennius.

Nequicquam sapere sapientem.

Qui sibi ipsi prodesse nequeat.

Verè id quidē, si quid esset prodesse, mihi cum Ennio conueniret. Hecatonem quidem Rhodiū discipulum Panætij video,

not the seller set a rapser of the price agaynst the buyer, let not the buyer set one that may low the prise agayn for him. If they both come to communication, they shall talke but once of the matter. When Quintus Sceuola, Publius sonne, had required, that the price of the ground, whereof hee was a cheaper, should once bee shewed him, and the seller had so done, hee sayde, hee valewed it more woorth, and gaue him more by xxv. hundred crownes. There is no man that can deny, but this was the part of a good man, a wyse mans part they deny it to bee, euen as if the other should haue sold it for lesse, then hee might haue gotten. This therefore is the mischief, because they reckon good to be one sort, a wise of another. Wherupon qd Enni<sup>9</sup>

The wise man his wit  
very vaine hee may call,  
If profit hēe cannot,  
himselſe therewithall.

It were true indeede, if I agreed wpyh Ennius, what it

it is to profit. I see Hecato, & Rhodian Panettus scholler, sayth in those bookes, which of duties hee wrote to Quintus Tubero, that it is a wise mans part, doing nothing against customes, lawes, & ordinances, to haue a respect to his substance. For wee couet not onely for our selues to bee rich, but for our children, our kinnsfolke, our friends, & specially for y<sup>e</sup> common weale. For the substance and wealth of euery free man, is the richnesse of a Citie. Sceuolas dooing, whercof I spake a little before, can in no wyse like Hecato, for Sceuola vtterly denyeth, that hee will doe ought for his owne gayne sake, that is not lawfull. To this man neither great praise or thank is to bee giuen. But whether both false pretending and also dissembling, bee couine or no, few matters there bee, wherein this couin hath not a do, and whether hee be a good man, who profits whome hee may, and hurts no body, full well a iust man, but not lightly a good man wee shal finde.

in ijs libris, quos de officijs scripsit. Quinto Tuberoni dicere, sapientis esse nihil contra mores, leges, instituta facientem habere rationem rei familiaris. Neque enim solum nobis diuites esse volumus sed liberis, propinquis, amicis, maximèque Reipub. Singulorum enim facultates & copie diuitiarum sunt ciuitatis. Huic Scæuolæ factum (de quo paulò ante dixi) placere nullo modo potest. Etenim omninò se negat facturum compendij sui causa, quod non liceat. Huic nec laus magna tribuenda est, nec gratia. Sed siue simulatio & dissimulatio dolus malus est: perpaucae res sunt, in quibus dolus iste malus non versetur. Siue vir bonus est is, qui prodest quibus potest, nocet nemini, rectè iustum virum, bonum non facile reperiemus.

S.iiij.

Num



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Nunquam igitur est  
vtile peccare, quia sem-  
per est turpe : & quia  
semper est honestum vi-  
rum bonum esse, sem-  
per est vtile.

Ac de iure quidem  
prædiorum sancitum  
est apud nos iure ci-  
uili, vt in his vendendis  
vitia etiam dicerentur,  
quæ nota essent vendi-  
tori.

Nam cum ex XII.  
tabulis satis esset cau-  
tum ea præstari, quæ  
essent lingua nuncupa-  
ta, quæ qui inficiatus es-  
set duplicem poenam su-  
biret; à iure consultis e-  
tiam reticentiæ poena  
est constituta. Quicquid  
enim est in prædio vitij  
id statuerunt, si venditor  
sciret, nisi nominatim  
dictum esset, præstari o-  
portere. Vt cum in arce  
augurium Augures actus-  
si essent, iussissentq; Ti-  
tum Claudium Centi-  
malum, qui ædes in Cæ-  
lio monte habebat, de-  
moliri eas, quorum alti-

It is neuer profitable then to  
dooe euill, beecause it is euer-  
more dishonest, and beecause it  
is alwayes honest to bee a  
good man, it is alwayes profit-  
table.

And surely touching the ti-  
tle of land, it is ordained with  
vs by ciuill law, that in sel-  
ling of it, the faults also  
should bee tolde, which were  
knownen to the seller. For  
wher eas by the twelue tables  
it was sufficiently provided:  
that those things shoulde  
bee performed which were de-  
clared in word: which who so  
would denie, should forfayte  
double damages: there was  
also by the Iudges of the  
law a payne set for conceale-  
ment. For whatsoeuer fault  
were in the land: if the sel-  
ler knew it, except expresse  
hee had declared it: they de-  
creed, that it ought to be made  
good. As when in the te-  
mple the Augures were about  
theyr prophesying by fowle  
flyght: and had commaunded  
Titus Claudius Centima-  
lus, who had houses in  
mount Celie, to pull those  
downe

downe, whose height should  
 let the prophesying : **Cla-**  
**udius** dyd set them to sale, and  
 solde the Iland, **Publius**  
**Calphurnius** Lanaryues,  
 bought it. He was commaun-  
 den the very same by the **Au-**  
**gurs**, and so when **Caphurni-**  
**us** had pulled them downe,  
 and vnderstood, that **Cla-**  
**udius** hadde set the houses to  
 sale, after hee had beene com-  
 manded of **h Augurs** to pull  
 them downe : hee dyaue him  
 to arbitrement. For all that  
 he ought in that case to recom-  
 pence him, of good conscience.  
**Marcus Cato**, this our **Ca-**  
**toes** father, made the award.  
 For as other are named from  
 theyr fathers : so this who  
 beegat such a star, is to bee  
 named from his sonne. Hee  
 therefore as iudge, gaue sen-  
 tence thus, & seeing hee knew  
 the thing, at the putting of it  
 to sale, and dyd not declare it,  
 hee ought to render the buyer  
 his damages. Hee therefore  
 iudged, it stoode wpyth good  
 conscience : that the fault  
 which the seller knew, should  
 be knowen to the buier. That

tudo officeret auspicijs:  
**Claudius** proscripsit in-  
 sulam, vendidit : emit  
**Publius Calphurnius La-**  
**narius.** Huic ab **Auguri-**  
**bus** illud idem denun-  
 ciatum est. Itaque **Cal-**  
**phurnius** cum demoli-  
 tus esset, cognouissentq;  
**Claudium** ædes postea  
 proscripsisse, quàm esset  
 ab **Auguribus** demoliri  
 iussus : ad arbitrum illum  
 adegit : quid sibi de ea  
 re facere oporteret ex fi-  
 de bona. **Marcus Cato**  
 sententiam dixit ( hu-  
 ius nostri **Catonis** pa-  
 ter. ) Vt enim ceteri ex  
 patribus, sic hic, qui il-  
 lud lumen progeniuit,  
 ex filio est nominandus.  
 Is igitur iudex ita pro-  
 nunciauit: cum in venun-  
 dando rem eam scisset,  
 & non pronunciauisset,  
 emptori damnum præ-  
 stari oportere.

Igitur ad fidem bonam  
 statuit pertinere, notum  
 esse emptori vitium quod  
 nosset venditor. Quod

S.v.

fi

## de Officijs.

Si rectè dijudicauit, non rectè frumentarius ille, non rectè ædium pestilentium venditor tacuit.

Sed huiusmodi reticentiæ iure ciuili omnes comprehendi non possunt : quæ autem possunt, diligenter tenentur. Marcus Marius Gratidianus propinqu<sup>9</sup> noster Caio Sergio Oratæ vendiderat ædes eas, quas ab eodem ipse paucis ante annis emerat.

Hæ Sergio seruiebant, sed hoc in mancipio Marius non dixerat, adducta res in iudicium est. Oratam Crassus, Gratidianum defendebat Antonius. Ius Crassus vrgebat, quod vitium venditor non dixisset, sciens id oportere præstari, æquitatem Antonius : quoniam id vitium ignotum Sergio non fuisset, qui illas ædes vendidisset, nihil fuisse necesse dici : nec

and if hee gaue a true iudgement, neither well did the cornmerchaunt afoze, neither well did this contagious house seller in holding his peace. But such manner of concealments cannot all bee comprehended in the ciuill law, but such as may bee perfectly contained. Marcus Marius Gratidianus, our kin'sman, had sold to Caius Sergius Orata that house, which hee had bought of him a few yeares beefore. This house dyd a certayne seruice to Sergius, but Marius had not declared y<sup>e</sup> same, in the liuerie of seasin. The matter was brought to the law, Crassus pleaded for Orato, Antonius for Gratidianus, Crassus stoode vpon the letter of the law, because the seller, knowing the discommoditie, hadde not tolde it, that it ought to bee made good, Antonius enforced the equitie of the law, because that discommoditie was not vnknewen to Sergius, who had solde the same house, that it was nothing needefull to bee declared,  
and



and that he was not deceiued, who vnderstood of what title, it was that he had bought. To what purpose tendes all this? That yee may perceyue, that couine lyked not our auncestours. But one way the lawes condemne couine, another way the Philosophers, the Lawes, as farre as by open deede they canne gather vppon matters, the Philosophers, as far as by reason and vnderstanding they can comprehend. Reason therefore requireth this, that nothing subtilly, nothing fawnedly, nothing deceitfully be done. Is it then any deceit, to pitch y<sup>e</sup> toile, although you goe not about to rouse, nor chase the game? For the very game lyghtes vpon it oftentimes, when no body follows them. So when you offer your house to sale, you set v<sup>p</sup> your Bill, as a Nette, you sell the house beecaue of the faults, some bodie happens vppon it beware of them, though I see this thorough corruption of vse,

eum esse deceptum, qui id quod emerat, quo iure esset, teneret. Quorsum hæc? vt illud intelligas, non placuisse maioribus nostris astutos.

Sed aliter leges, aliter Philosophi tollunt astutias. Leges, quatenus manu tenere possunt: Philosophi quatenus ratione & intelligentia. Ratio igitur hoc postulat, né quid insidiosè, ne quid simulatè, ne quid fallaciter.

Sunt nè igitur insidig tendere plagas, etiam si excitaturus non sis bestiam, nec agiturus. Ipse feræ nullo insequente, sæpe incidunt. Sic tu cum ædes proscribas, tabulam tanquam plagam ponas, domum propter vitia vendas, in eam aliquis incurrat imprudens: hoc quam video propter deprauationē cōsuetudinis neque

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neque more turpe haberi, neque aut lege sanciri, aut iure ciuili : naturę tamen lege sancitum est. Societas enim est, (quod etsi sepe dictum est, dicendum tamen est sepius) latissimè quidem quę pateat hominum inter homines, interior eorum, qui eiusdem gentis sunt, propior eorum, qui eiusdem ciuitatis. Itaque maiores aliud ius gentium, aliud ius ciuile esse voluerunt. Quod enim ciuile, non idem continuo gentium, quod autem gentium, idem ciuile esse debet.

Sed nos veri iuris, germanęque iustitię solidam & expressam effigiem nullam tenemus, vmbra & imaginibus vtimur : eas ipsas vtinam sequeremur.

Feruntur enim ex optimis naturę, & veritatis exemplis. Nam quanti sunt verba illa,

neither by custome is counted dishonest, neyther by ordinance, or ciuill law of decrees, yet by the law of nature it is forbidden. For there is a fellowshippe of men amongst men (which thing although it hath ben oftentimes spoken of, yet oftner it must bee spoken) which indeed berie largely extendeth : and a neerer there is of those, who be of one nation, and a neerer of them who bee of one Citie. Therefore our auncestours would needes haue the law of nations to bee one thing, & the ciuill law another. For what so is the ciuill law, the same is not consequentely the law of nations : but what so is the law of nations, the same must needs bee the ciuill law. But wee keepe no sound and expresse forme of very law and meere iustice : wee vse the shadow and images thereof : yea, and euen those same I would wee dyd follow. For they bee taken out of the best principles of nature, and paternes of trouth, for how precious bee those words.

That

That not by you, or your  
promisse, I bee snared or de-  
ceiued, how golden woordes  
bee those? That among good  
men, good dealing ought to  
bee without deceiuing. But  
who bee good men, and what  
is good dealing, it is a great  
question. Quintus Sceuola,  
the chiefe Bishop sayd, there  
was great substance of mat-  
ter in all those arbitrements,  
in which they should bee trea-  
ting according to good consci-  
ence, and the name of good  
conscience hee iudged to reach  
verie farre: and that it had  
a dooe in gardenships, com-  
panyes, matters of trust,  
commaundements, things  
bought, solde, hired, and let  
out: by which the fellowship  
of mannes lyfe is vpholden,  
in these things hee sayd, it  
was the office of a great  
Judge to determine, what  
each man should dooe to ano-  
ther, specially seeing þe iudge-  
ments in most men be contra-  
rie one to another, wherefore  
couine must bee vtterly auoy-  
ded: and that wylnesse which

Vt ne propter te, fidei-  
ue tuam, captus fraudu-  
tusue sim? quam illa au-  
rea? Vt inter bonos be-  
nè agier oportet & si-  
ne fraudatione. Sed qui  
sunt boni, & quid sit be-  
nè agere, magna quæstio  
est.

Quintus quidem Sce-  
uola Pontifex maximus  
summam vim esse dice-  
bat in omnibus ijs arbi-  
trijis, in quibus addere-  
tur ex fide bona. Fidei-  
que bonæ nomen existi-  
mabat manare latissimè,  
idque versari in tutelis,  
societatibus, fiducijs,  
mandatis, rebus emptis,  
venditis, conductis, lo-  
catis, quibus vitæ socie-  
tas continetur.

In his magni esse iu-  
dicis, statuere ( præser-  
tim cùm in plerisque es-  
sent iudicia contraria)  
quid quemque cuique  
præstare oporteret. Quo  
circa, astutiæ tollendæ  
sunt, eaque malitia, quæ  
vult quidem videri  
sc



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se esse prudentiam, sed abest ab ea, distatque plurimum. Prudentia est enim locata in delectu bonorum, & malorum. Malicia si omnia, quæ turpia sunt, mala sunt, mala bonis anteponit. Nec verò in prædijs solum ius ciuile ductum à natura malitiam, fraudemque vindicat, sed etiam in mancipiorum venditione venditorum fraus omnis excluditur. Qui enim scire debuit, de sanitate, de fuga, de furis, præstat edicto Aedilium.

Hæredum alia causa est. Ex quo intelligitur, quoniam iuris natura fons sit: hoc secundum naturam esse, neminem id agere, vt ex alterius prædetur inscitia. Nec vlla perniciēs vitæ maior inueniri potest, quàm in malitia simulatio intelligentiæ.

Ex quo illa innumerabili a nascuntur, vt vtilia eum

will needs haue it selfe seeme to bee prudence, but it is far from it; & differs very much. For prudence is placed in the choice of good and euill, wyllesse, if all things bee euill, which be dishonest, preferreth euil before good. And not only in matters of land, the ciuill law, that hath his originall of nature, doth punish willesse and couine; but also in the sale of slaues and nieses, all couine of the sellers is forbidden. For hee that should haue knowen, of theyr helthfulnesse, of theyr fugitiuenesse of theyr theeuishnesse, doth make satisfaction by the Ediles decrees. Otherwise is the case of inheritours. Whereof is done to vnderstand, because nature is the fountayne of law, that this is according to nature, & no man go about by anothers ignorance, to make his owne gaine. For any greater destruction of mans life can bee found, then of a willesse, falsly to dissemble ones vnderstanding. Whereof those innumerable inconueniences dooe grow, that profitable things

things seeme to fight with honest. For how many will be found, who being sure to be free from punishment, and knowledge of all men, can refraine from doing wrong? Let vs make a profe (if it please pee) in those examples, wherein the common sort of men perhaps doo not thinck they do amisse. For it falleth not in this place to speak of murderers, poisoners, wilforgers, theeves, and robbers of the common treasure, who not with words and reasonings of Philosophers, but with chaines and prisonment are to bee punished. But these things let vs consider, which they do, who be compted good. Certaine men brought out of Greece to Rome, a counterfet will of Lucius Minusius Basilus, a very rich man, and to the intent they might the easier proue it they dyd put in as heires with them Marcus Crassus, and Quintus Hortensius, men of most power in the same Citie. Who when they suspected it to bee forged, & were not guilty of any fault in theyr owne conscience

honestis pugnare videantur. Quotus enim quisq; reperietur, qui impunitate & ignoratione omnium proposita abstinerere possit iniuria? Periclitemur (si placet) & inijs quidem exemplis, in quibus peccari vulgus hominũ fortasse non putat. Neq; enim de sicarijs, veneficis, testamentarijs, furibus, peculatoribus hoc loco differendum est, qui non verbis sunt & disputatione philosophorum, sed vinculis & carcere castigandi. Sed hæc consideremus, quæ faciunt ij, qui habentur boni. L. Minutij Basilij locupletis hominis falsum testamentum quidam è Græcia Romam attulerunt. Quod quò facilius obtinerent, scripserunt hæredes secum M. Crassum & Quintum Hortensium, homines eiusdem ciuitatis potētissimos, qui cum illud falsum esse suspicarentur, sibi autem nullius essent conscij culpæ, alieni

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alieni facinoris munus-  
culum non repudiaue-  
runt. Quid ergo? satin?  
hoc est, vt non deliquisse  
videantur? Mihi quidem  
non videtur: quanquam  
alterum amari viuum, al-  
terum non odi mortu-  
um. Sed cū Basilii.  
M. Satyrium sororis fi-  
lium nomen suum fer-  
re voluisset, eumq; fe-  
cisset heredem, hunc au-  
tem dico patronum a-  
gri Piceni & Sabini (o  
turpem notam temporū  
illorum) non erat æquum  
principes ciuitatis rem  
habere, ad Satyrium nihil  
præter nomen peruenire.  
Etenim si is, qui non de-  
fendit iniuriam, neque  
propulsat a suis cum po-  
test, iniuste facit, vt in  
primo libro differui:  
qualis habendus estis,  
qui non modo non re-  
pellit, sed etiam adiu-  
uat iniuriam? Mihi qui-  
dem etiam verę heredita-  
tes non honeste viden-  
tur, si sint malitiosis  
blanditijs officiorum,

they refused not the pretie re-  
ward of an other falsehood.  
What say wee then? Is this  
inough that they seeme not to  
haue doone any fault? To  
mee truely it seemes not so:  
althought the one I loued be-  
ing alue, & other I hate not  
beeing dead: But when Bas-  
ilius would haue had Mar-  
cus Satirius his sisters sone  
to beare his name: and had  
made him his heire: I meane  
him who was protectour of  
the countrey of Picene, and  
Sabine. (O shamefull stain,  
in those daies) it was not rea-  
son, that the rulers of this citie  
had the goods, and nothing  
but this name descended to Sa-  
tirius. For if hee that doth  
not fence of iniurie, and keepe  
it away from his, when hee  
may, doth vniustly: as in  
my first Booke I haue dis-  
puted: what manner a man  
is hee to bee compted: who  
not onely doth not fence of,  
but also fundereth an inu-  
rie? And true inheritances  
also seemes too mee not  
honest if it bee purchased by  
wylie flattering ductyes:



and not by trueth, but by false  
farning. But in such cases,  
one thing is wont sometye  
to seme profitable, an other  
honest, yet vntruely it so see-  
meth: for alike is the rule of  
profit, as of honestye, who  
foreseeth not this: no guyle,  
no mischiefe shall faile in him.  
For thus imagining, this in  
deede is honest, but this is  
profitable: hee will take vpon  
him by error to sundert things  
coupled together by nature,  
which is the welspying of all  
deceits, wicked deedes, and  
mischiefes. Therefore if a  
good man haue such power  
that if he do but beck with his  
finger, his name may creep  
into the testament of the rich,  
let him not vse this power: no  
not though hee know for cer-  
taine, that no man at all will  
once mistrust it.

But if yee should gyue this  
power to Marcus Crassus,  
that with a becke of his fin-  
ger, hee might bee put in as  
heire, being no heire in deede,  
hee would (believe mee) leap  
for ioye in the open streete.  
But a iust man, and hee,

non veritate, sed simula-  
tione quesitæ. Atqui in  
talibus rebus aliud vtile  
interdum, aliud honestū  
videri solet. Falsò, Nam  
eadē vtilitatis, quę hone-  
statis est regula: qui hoc  
non prouiderit, ab hoc  
nulla fraus aberit, nullū  
facinus: Sic enim cogi-  
tans: Est istud quidem  
honestum, verum hoc  
expedit: res a natura co-  
pulatas audebit errore  
diuellere, qui fons est  
fraudum, maleficiorū, sce-  
lerum omnium. Itaq; si  
vir bonus habeat hanc  
vim, vt si digitis concre-  
puerit, possit in locuple-  
tum testamenta nomen  
eius irrepere, hac vi non  
vtatur: nec si explora-  
tum quidem habeat, id  
omninō neminem vn-  
quam suspicaturum.

At si dares hanc vim M.  
Crasso, vt digitorum  
percussione heres posset  
scriptus esse, qui re vera  
non esset hæres: in foro,  
mihi crede, saltaret. Ho-  
mo autem iustus, isque,

T.

quem

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quem sentimus virum bonum, nihil cuiquam, quod in se transferat, detrahet. Hoc qui admiratur, is se, qui sit vir bonus, nescire fatetur.

At veró si quis voluerit animi sui complicatam notionem euoluere : iam se ipse doceat, eum virum bonum esse, qui profit quibus possit, noceat nemini, nisi lacessitus iniuria. Quid ergo? hic non noceat, qui quodam quasi veneno perficiat, vt veros haredes moueat, in eorum locum ipse succedat?

Non igitur faciat (dixerit quis) quod vtile sit, quodque expediat? immò intelligat, nihil nec expedire, nec vtile esse quod sit iniustum, hoc qui non didicerit, bonus vir esse non poterit.

Fimbriam consularem audiebam de patre nostro puer, iudicem M. Luctatio Pythiæ fuisse equiti Romano,

whom we cempt a good man, will catch nothing from any man, to cast it vpon himselfe. Who so hath wonder at this: hee confesseth himselfe not to know, who is a good man.

But if a man will vnfold the secret knowledge of his mind: by and by hee may enforme himselfe, that hee is a good man who doth good to whom hee may: and hurteth no bodye, but prouoked by iniury. How then? doth not hee hurt another, who workes (as it were) with a certayne poison: that the true hetres hee maye displace, and make himselfe succedde in theyr rounge?

May he not then doe that, will some say, which is profitable, and which is auailable?

May let him know that nothing neyther auayleth, nor is profitable, which is vniust.

This who so hath not learned, cannot bee a good man.

I heard of my father, when I was a boy: that Fimbria sometime Consull, was iudge to Marcus Luctatius Pythias as one of y<sup>e</sup> Equestriall order of

of Rome, indeed honest, when  
hee had put in sureties, to an-  
swere the action, if hee were  
not found a good man, that  
therefore Fimbria sayd vnto  
him, hee would neuer gieue  
iudgement of the case: least he  
should epyther rob a tried man  
of his good name, if hee had  
iudged agaynst him, or else  
shoulde seeme to haue deter-  
mined, that ther is some good  
man, whereas that thyng con-  
sisteth in dueties a commen-  
dations innumerable. To  
this good man then, whom al-  
so Fimbria, & not onely So-  
crates had conceiued: can no  
way ought appeare to be pro-  
fitable, that is not honest.  
Therefore such a man wyll  
not bee so bold to dooe, no nor  
purpose any thing which hee  
dare not auer. It is not a  
shame for Philosophers to  
doubt in these things, wherof  
the clownes of the country do  
make no doubt at all. From  
whom is sprong that Pro-  
uerbe, which now is well  
woyne by continuance. For  
when they praise any mans  
conscience and goodnesse?

sanè honesto cum is spō-  
sionem fecisset, in bonus  
vir esset. Itaque ei dixit.  
se Fimbriam, se illam  
rem nunquam iudica-  
turum: ne aut spolia-  
ret fama probatum ho-  
minem, si contra iudi-  
casset: aut statuisse vi-  
deretur virum, bonum a-  
liquem esse, cū ea res  
innumerabilibus offici-  
is & laudibus contine-  
retur. Huic igitur viro  
bono, quem Fimbria e-  
tiam, non modo Socra-  
tes nouerat, nullo modo  
videri potest quicquam  
esse vtile, quod non ho-  
nestum sit. Itaque talis  
vir non modo facere:  
sed nec cogitare quidem  
quicquam audebit, quod  
non audeat prædicare.  
Hoc nonne est turpe du-  
bitare philosophos, quæ  
ne rustici quidem dubi-  
tent? à quibus natum est  
id, quod iam tritum est ve-  
rustate prouerbum.

Cum enim fidem alicuius, bonitatemq; laudant

T.ij.

dig



## de officijs.

dignum esse dicunt, qui cum in etnebris mices. Hoc quam habet vim nisi illam, nihil expedire, quod non deceat, etiam si id possis nullo refellente obtinere? Vides ne igitur hoc prouerbio, neque Gygi illi posse veniam dari, neque huic, quem paulò ante fingebam, digitorum percussione hereditates omnium posse conuertere? Ut enim quod turpe est id quamuis occultetur, tamen honestum fieri nullo modo potest: sic qd' honestum non est, id vrile vt sit, effici non potest, aduersante & repugnante natura. At enim cum per magna premia sunt, est causa peccandi. Caius Marius cum à spe consulatus longè abesset, & iam septimum annum post præturam iaceret neque periturus vnquam consulatum videretur Q. Metellum cuius legatus erat,

they say hee is such a man, as yee may play with him blindfold, what other meaning hath that, but this, that nothing is expedient, which is not comely although you may obtayne it wout any mā's resistance. Do yee not see then by this Proverbe, that neyther the lame Gyges can be bozne with, nor this other, whom erewhyle I fained with the wagging of his finger to be able to turn to himselfe all mennes inheritance: For as the things which is dishonest, although it bee closely kept, can no way yet bee made honest, so y thing which is not honest, cannot be brought to passe to be profitable, even nature being against it, and withstanding it. But yet where verie great bribes bee, there is occasion of euill dooing. When Caius Marius was far off from hope of the Consulship, a vii. yeers after his Pretorshippe, lay still nor seemed as one, that euer would labour for the Consulshippe, to the people of Rome, hee accused  
Quin-

Quintus Metellus, a noble mā  
and Citizen, whose ambassa-  
dour he was, whē he was sent  
to Rome from him, beeing his  
captaine, how that he pꝛolon-  
ged y<sup>e</sup> wars, & said, if they had  
made him Consull, hee would  
in a short space haue bzought  
Iugurtha, eyther quicke or  
dead, into the subiection of the  
people of Rome. And so in  
deede he was made consul, but  
he s<sup>u</sup>warued from all trust and  
iustice, who by false accusati-  
on, bzought in an enuie a ve-  
ry good and graue Citizen,  
whose Ambassadour hee was,  
and from whom is was sent.

No nor our Gratidianus,  
truely dꝛd the dutie of a good  
man, when hee was Pꝛetor,  
and the Tribunes of the peo-  
ple had called vnto them the  
company of the Pꝛetors, that  
there might bee set a standard  
of coine by the common con-  
sent. For in those daies the  
money was made so to fall &  
rise, that no man could know  
what hee had.

They pēed a decree by a cō-  
mon agreement vpon a paine

sumum virum & ci-  
uem, cum ab eo impe-  
ratore suo Romam mis-  
sus esset, apud pop. Rom.  
criminatus est, bellum  
illum producere : si se  
COS. fecissent, breui  
tempore aut viuum, aut  
mortuum Iugurtham se  
in potestatem Pop. Ro.  
redacturum. Itaque fact-  
us est ille quidem COS.  
sed à fide iustitiaque di-  
scessit : qui optimum ac  
grauissimum ciuem, cu-  
ius legatus, & à quo mis-  
sus esset, in inuidiā falso  
crimine adduxerit. Nec  
noster quidē Gratidian<sup>us</sup>  
officio boni viri funct-  
us est, tunc cū Prætor  
esset, colligiumque Præ-  
torum Tribuni plebis  
adhibuissent, vt res nū-  
maria de communisen-  
tentia constitueretur.  
Iactabatur enim tempo-  
ribus illis nummus, sic  
vt nemo posset scire  
quid haberet. Conscrip-  
serunt communiter.

Edictum cum pœna,

T.iiij.

at-

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atque iudicio : constitueruntque, vt omnes simul in rostra post meridiem descenderent, & ceteri quidem alius aliò.

Marius a subsellijs in rostra rectà, idque quod communiter compositum fuerat, solus edixit, & ea res (si quæris) ei magno honori fuit : omnibus vicis statuæ factæ, ad eas thus & cærei.

Quid multa? Nemo vnquam multitudini fuit charior.

Hæc sunt, quæ con-  
turbant homines in de-  
liberatione nonnun-  
quam : cum id, in quo  
violatur æquitas, non  
ita magnum : illud au-  
tem quod ex eo paritur,  
permagnum videtur, vt  
Mario præripere colle-  
gis & Tribunis plebis  
popularem gratiam,  
non ita turpe : consu-  
lem ob eam rem fieri,  
quod sibi tunc propo-  
suerat, valde vtile vide-  
batur.

and condemnation : and ap-  
pointed, that they altogether  
at after noone, would goe  
downe in Rostra. And then  
all the rest went each man  
his way : Marius from the  
Senatours bench got him  
straight to Rostra, and alone  
proclaymed that, which by a  
common consent was made,  
and that thing if wee desire to  
know, was to him a great  
honour, in all the streets ima-  
ges were made him, and to the  
same offered was Incense &  
lights of ware. What neede  
many words? No man was  
there euer more beeloued of  
the multitude. These bee the  
things which trouble men  
often tymes, in takeing of  
aduiseement, when that thing  
wherein equitie is broken, is  
not counted so great, but  
that which is gotten by  
such dealing, seemeth mer-  
uaylous great, as to Ma-  
rius it seemed not so disho-  
nelt to get away the peo-  
ples fauour from his fellows  
and the Tribunes, but to  
bee made Consull for that  
dooing, which then hee had set  
before



bee fore his eye, it seemed very profitable. But one rule there is of all, which I would fayne haue you thoroughly to know, either y<sup>e</sup> thing which seemeth profitable, let it not bee dishonest, or if it bee dishonest, let it not seeme profitable. What shall we then say: May we eyther take this Marius, or that other, for a good man. Bend & strayne your vnderstanding, to see what shape, forme, and image of a good man is in it. Dooth it then commonly befall in a good man to ly for his profit, to accuse, to p<sup>re</sup>uent or deceiue? Of a suretie nothing lesse. Is there then any thing so p<sup>re</sup>cious, or any gayne so much to bee desired, that yee shoulde therefore leese the glory and name of a good manne? What is there so much, that this profit (as they call it) is able to bring vs, as it may pull from vs, in case it take away the name of a good man, & spoile vs of trouth and iustice? for what difference is there, whether one shape turne him:

Sed omnium vna regula est, quam cupio tibi esse notissimam, aut illud, quod vtile videtur turpe ne sit: aut si turpe est, ne esse vtile videatur. Quid igitur? possumus ne, aut illum Marium virum bonum iudicare, aut hunc? Explica atque excute intelligentiam tuam, vt videas quæ sit in ea species, forma et notio viri boni. Cadit ergo in virum bonum mentiri emolumentum sui causa, criminari, præripere, fallere? Nihil profecto minus.

Est ergo vlla res tanti, aut commodum vllum tam expetendum, vt viri boni & splendorem & nomen amittas? Quid est, quod afferre tantum utilitas ista, quæ dicitur, possit, quantum auferre, si boni viri nomen eripuerit, fidem, iusticiamque detraxerit? Quid enim interest vtrum ex homine

## de Officijs.

se conuertat quis in bel-  
luam: an in hominis fi-  
gura immanitatem ge-  
rat belluæ? Quid qui  
omnia recta & honesta  
negligunt, dummodo  
potentiam consequan-  
tur? Nonne idem faci-  
unt, quod is, qui etiam  
socerum habere voluit  
cum, cuius ipse audaci-  
a potens esset? Vtile e-  
nim videbatur ei plurimū  
posse alterius inuidia.  
Id quam iniustum in  
patriam, & quam tur-  
pe esset, non videbat. Ip-  
se autem socer in ore  
semper Græcos versus  
Euripidis de Phœnissis  
habedat, quos dicam vt  
potero, inconditè for-  
tasse, sed tamen vt res  
possit intelligi.

selfe from a man to a beast, or  
vnder the forme of manne,  
beares in him the brutish cru-  
elnesse of beast: what of them  
who set at naught all good &  
honest things, so they may at-  
taine to power, doe they not, es-  
uen as hee dyd: who would  
needs haue him to his father  
in law, by whose bold enterpris-  
ses hee might beare a swaye:  
for to him it seemed profitable  
to bee of much power by ano-  
thers enuie, but hee saw not  
how vniust, how vnprofitable,  
how vnhonest, it was for his  
country. But as for his father  
in law, hee had alwaies in his  
mouth Euripides Greeke beas-  
les of the Phenicians, which I  
wil expresse as wel as I can:  
Perchaunce wthout they  
grace, but yet so as y<sup>e</sup> meaning  
may bee conceiued.

Nam si violandum est  
ius,

Regnandi gratia vio-  
landum est:

Alijs rebus pietatem  
colas.

If breach of lawes, a man  
shall vndertake:

Hee must then boldly  
break for kingdomes sake:

In each thing else, looke  
you regard the right.

That

hainous was the Etioeles  
or rather Euripides: who ex-  
cepted not onely this, which  
was most detestable. Why do  
wee then gather these tryfling  
cases as concerning inheri-  
tance, merchaundise, & deceit-  
full sale? May bee holde him,  
that sought to bee king ouer y  
people of Rome, and all nati-  
ons, and brought it to passe.  
This kinde of desire, who  
so counteth honest, hee is not  
well in his wit: for hee allow-  
eth the ouerthrow of law and  
libertie, and the cruell and de-  
testable oppression of them, he  
reckens a glorioius matter.

With what kinde of chiding  
then, or rating rather may I  
attempt to tourne him from  
so great an errour, who con-  
fesseth, it is not honest to  
raigne as king in that Citie  
which both hath bene, and  
ought to bee free, and yet  
accounts it profitable for him,  
that can bring it to passe.

For O yee Gods immor-  
tall, can the most shamefull  
and cruell murther of a mans  
owne countrie bee profitable,

Capitalis Etioeles vel  
potius Euripides, qui id  
vnum, quod omnium  
sceleratissimum fuerat,  
exceperit. Quid igitur  
minuta colligimus hære-  
ditates, mercaturas, ven-  
ditiones fraudulentas?  
Eccè tibi, qui rex populi  
Romani, dominusque  
omnium gentium esse  
concupierit, idque per-  
fecerit. Hanc cupidita-  
tem si quis honestam ef-  
se dicit, amens est. Pro-  
bat enim legum & liber-  
tatis interitum, carumq;  
oppressionem tetram  
& detestabilem, glorio-  
sam putat. Qui autem  
fatetur honestum non  
esse in ea ciuitate, quæ li-  
bera fuit, quæque esse  
debeat, regnare, sed ei  
qui id facere possit, esse  
utile: qua hunc obiur-  
gatione, aut quo potius  
conuitio à tanto errore  
coner auertere? Potest  
enim (Dij immorta-  
les) cuiquam esse utile  
foedissimum & teterri-  
mum parricidium patriæ:

T.v.

quam-



## de Officijs.

quamuis is, qui se co-  
strinxerit, ab oppressis ci-  
uibus parens nominetur?  
Honestate igitur dirigen-  
da utilitas est & quidem  
sic, ut hæc duo verba in-  
ter se descrepare, sed ta-  
men vnum sonare vide-  
antur. Nunc ab eo ad  
vulgi opinionem. Quæ  
maior utilitas quam reg-  
nandi esse possit? Nihil  
contra inutilius ei, qui  
id iniuste consequutus  
sit inuenio, cum ad ve-  
ritatem cæpi reuocare ra-  
tionem. Possunt enim  
cuiquam esse utiles an-  
gores, sollicitudines, di-  
urni & nocturni metus,  
via insidiarum, pericu-  
lorumque plenissima?

Multi iniqui, atque in-  
fideles Regno.

Pauci boni sunt, in-  
quit Accius.

At cui regno? quod à  
Tantalo & Pelope pro-  
ditum iure obtinebatur  
Nam quantò plures ei  
regi putas, qui cum ex

rea, though hee that hath em-  
brued himselfe in such bloud,  
bee cleaped of the oppressed  
subjects parent of the com-  
mon weale? Profit therefore  
is to bee directed by honestie,  
& that so, as these two words  
may seeme to differ in them-  
selues in tearmes, and yet to  
sound all one in meaning.

Now to the opinion of the  
common people. What greater  
profit can there bee, then to  
raigne and to rule. Contra-  
rwise I finde nothing more  
unprofitable for him, who  
iustly hath attayned it, when  
I applie reason to the troth.  
For can griefes, cares, daierly  
and nyghtly feares, and a lyfe  
full of snares and daungers  
bee profitable to any man?  
About the seeking of y crown  
many euill and faithlesse bee.

But few good men in such  
a man shall lightly see (scarce  
quoth Accius.) But to which  
crowne? The same, that  
from Tantalus, and Alcops  
descending, was by iust title  
possessed. For how many  
more, think pee, were but true,  
and

and vntrusty to the king, who  
 w<sup>th</sup> an armie of Roman  
 people oppressed the people of  
 Rome, and forced <sup>h</sup>e citie to bee  
 subiect to him, which was not  
 onely free of it selfe, but also a  
 ruler of other nations? What  
 blottes of conscience, suppose  
 you, had he in his hart? What  
 woundes of remorse? But  
 whose lyfe cannot bee ought  
 worth to himselfe, when the  
 state of his lyfe is such, that  
 who so takes it frō him, shall  
 bee in most fauour and fame?  
 In case these things bee not  
 profitable, which specially  
 seeme so to be, because they bee  
 full of shame & reproch, wee  
 ought now to be fully perswa-  
 ded, <sup>h</sup>e nothing is profitable,  
 which is not honest. Nor with  
 standing the same, both at dy-  
 uers other times, & namelpe  
 in the wars w<sup>th</sup> Pirrhus,  
 was so adiudged by Caius  
 fabritius in his second Con-  
 sulship, and also by our Se-  
 nate. For when king Pyr-  
 rhus vnprovoked, had moou-  
 ed war agaynst the people  
 of Rome, & the fight was all  
 about <sup>h</sup>e empire with <sup>h</sup>e noble,

ercitu Populi Romani  
 Populum ipsum Roma-  
 num oppressisset, ciuita-  
 temque non modo libe-  
 ram, sed etiam gentibus  
 imperantem seruire co-  
 egisset? Hunc tu quas  
 conscientiae lates, in a-  
 nimo sensus habuisse?  
 quae vulnera? Cuius au-  
 tem vita ipsi potest vti-  
 lis esse, cum eius vitae ea  
 conditio sit, vt qui illam  
 eripuerit, in maxima &  
 gratia futurus sit Et glo-  
 ria? Quod si haec utilia  
 non sunt, quae maximè  
 videntur, quia plena sunt  
 dedecoris ac turpitudi-  
 nis, satis persuasum esse  
 debet, nihil esse utile,  
 quod non honestum  
 sit.

Quamquam id quidem  
 cum saepe alias, tum Pyr-  
 rhi bello à C. Fabritio  
 COS. iterum & à Sena-  
 tu nostro iudicatum est.  
 Cum enim rex Pyrrhus  
 Populo Romano bel-  
 lum ultro intulisset, cum  
 q; de imperio certamen  
 esset cum rege generoso

## de Officijs.

ac potente, perfuga ab eo venit in Castra Fabritij, eique est pollicitus, si præmium ei proposuisset, se, vt clàm venisset, sic clàm in Pyrrhi castra rediturum, & cum veneno necaturum. Hunc Fabricius reducendum curauit ad Pyrrhum: id que eius factum à Senatu laudatum est. Atqui si speciem vtilitatis, opinionemque quærimus, magnum illud bellum perfuga vnus, & grauem aduersarium imperij sustulisset, sed magnum dedecus & flagitium: quicum laudis certamen fuisset, eum non virtute, sed scelere superatum.

Verum igitur vtilius vel Fabricio, qui talis in hac vrbe, qualis Aristides Athenis fuit: vel Senatui nostro, qui nunquam vtilitatem à dignitate seiunxit, armis cum hoste certare, an venenis?

and puisaunt Prince, a runaway traitour went from him to Fabritius camp, and promised, that if Fabritius would offer him a good reward, as he came priuely, so hee would returne priuely to Pirrhus pavilion, and dispatch him with popson. Fabritius caused him to bee carried backe againe to Pirrhus, and that deed of his was well commended of the Senate. But if wee seeke the shew & respect of profit, true it is, this one runaway might haue made an ende of y great war, and that greuous enemy of the empyre, but it had bene a great shame & foule deede, to haue hadde him subdued, not by prowesse, but by trecherie, with whome the fight was all for glozie. Whether then was it more profitable, eyther for Fabritius, who was such a one in our Citie, as Aristides was at Athens, or for our Senate, who neuer seuered profit from honour, to war against the enemy with armes, or wth popson?



If empyre be to be sought for  
cause of glory, let trechery bee  
eschewed, wherein can bee no  
glorie, againe, if riches bee  
sought any manner way, they  
cannot bee profitable, if they  
come with infamie. Therefore  
that aduice of Lucius Phi-  
lippus, Quintus sonne, was  
not profitable, that those Ci-  
ties which Lucius Sylla for  
a certayne sum of money, had  
discharged of tributes by de-  
cree of the Senate, should a-  
gayne bee tributary, & yet wee  
shoulde not restore them the  
money, which for their beeing  
free, they had disbursed. The  
Senat house agreed all with  
him. A flaunder it was to the  
gouernment. For of Pirats  
better is the promise, then of  
the senate. Yea, but the tri-  
butes (they will say) were  
therby augmented, therfore it  
was profitable. How long  
will they bee bold to call any  
thing profitable, & is not ho-  
nest: Can hatred and infamy  
bee profitable to any state that  
shoulde bee upholden wth

Si gloria causa impe-  
rium expetendum est,  
scelus absit, in quo non  
potest esse gloria. Sin ip-  
sæ opes expetuntur, quo-  
quo modo non pote-  
runt esse vtilis cum in-  
famia.

Non igitur utilis illa  
Lucij Philippi Quinti fi-  
lij sententia, quas ciuita-  
tes Lucius Sylla pecu-  
nia accepta ex Senatus-  
cons liberauisset, vt ex  
rursus vectigales essent:  
neque his pecuniam,  
quam pro libertate de-  
derant, redderemus &  
senatus est assensus: Tur-  
pe imperio.

Pyratarum enim me-  
lior fides, quàm Senatus  
At aucta vectigalia. Vti-  
le igitur. Quousque au-  
debunt dicere, quicquam  
utile quod non honest-  
um? potest autem vlli  
imperio, quod gloria de-  
bet fultum esse, & be-  
neuolentia sociorum,  
vtile

## de Officijs.

utile esse odium & infamia? Ego etiam cum Catone meo saepe dissenſi. Nimis enim mihi videbatur præfractè ærarium, vectigaliaque defendere, omnia publicanis negare, multa socijs, cum in hos benefici esse deberemus, cum illis sic agere, vt cum colonis nostris ſoleremus. Eoque magis, quod illa ordinum coniunctio ad salutem Reipublicæ pertinebat, Malè etiam Curio, cum causam Transpadanorum æquam esse dicebat, ſemper autem addebat, vincat vtilitas. Potius diceret, non esse æquam, quia non eſſet utilis Reipublicæ, quàm cum vtilem esse diceret, non esse æquam fateretur.

Plenus eſt ſextus liber de officijs Hæcatonis talium quæſtionũ: ſit ne boni viri in maxima caritate an nonq̃ familiam non alere

glozie, and good will of their league friends. I my ſelf ſome time haue diſagreed euẽ with my Cato: for euersithye mee thought, he defended the treſurie gaue & tributes, & denied all maner of allowances, to þ farmers of our cuſtome, & many to our league friends, whereas towarde theſe wee ſhould bee beneficiall, and ſo deale with thoſe, as wee were wont to do with our citizens, ſent to inhabit new towneſ, & ſo much the more, beecaue the knitting together of thoſe degrees of men, dyd pertayne to the ſafety of þ cõmon wealth. Curio alſo dyd euill, in that he ſaid, the Transpadanes matter was iuſt, but yet euers more hee cried. Let profit preuaile. Hee ſhoulde rather haue ſayd, the matter was not iuſt beecaue it was not profitable for the common weale, then when hee ſaid it was iuſt, hee ſhuld grant it was vnprofitable. Hecatos ſixt booke of duties is full of ſuch queſtions: whether it bee fit for a good man, in a verie great dertth of corne, to giue ouer houſekceping?

ping? Hee disputes the matter on both sides: but yet at last he thincketh, ductie is directed rather after profite, then after humanitie. Hee puts the case, if one must needs take losse by sea: whether should hee rather beare the losse of a horse much worth, then of a slaue lyttle worth. In this case, private profit leads a man one way, & humanity an other. If a foole in a shippewracke catch holde of a boord: shall a wyse man take it from him, if hee can? Hee saith no, because it were iniurious. What may the owner of the ship dooe? shall hee take his owne? No, no more then hee may cast a passenger out of the ship into the sea, because it is his.

for untill they arriue at the place, whether the ship was hired: the ship is not the owners, but theirs that fall in it. what if two in a shippewrack light vpon one boorde: and they both be wise men: should either of them pull it to himselfe or one giue over his holde to the other? yea, hee

in vtranque partem disputat: sed tamen ad extremum vtilitate putat officium dirigi, magis quam humanitate. Quærit si in mari iactura facienda sit, equi ne preciosi potius iacturam faciat, an seruuli vilis?

Hic alió res familiaris, alió ducit humanitas.

Si tabulam de naufragio stultus arripuerit, extorquebit ne eam sapiens, si potuerit? Negat, quia sit iniurium. Quid dominus nauis? Eripiet ne suum? Minime? Non plus quam si nauigantem in alto eijcere de naui velit, quia sua sit.

Quoad enim peruentum sit eó, quô sumpta nauis est, non domini nauis, sed nauigantium.

Quid si in vna tabula sint duo naufragi, hiqûe sint sapientes: sibi vterque rapiat: an alter cedat alteri:



## de Officijs.

alteri : cedat vero : sed ei, cuius magis interfit vel sua vel Reipub. causa viuere. Quid si hæc paria in vtroque?

Nullum erit certamen, sed quasi in sorte, aut in dimicando victus, alteri cedat alter.

Quid si pater fana expilet, cuniculos agat in ærarium, indicernè id magistratibus filius?

Nefas id quidem est, quin etiam defendet patrem, si arguatur. Non igitur patria præstat omnibus officijs? immo verò, sed ipsi patriæ conducit, pios habere ciues in parentes.

Quid si tyrannidem occupare, si patriam prode conabitur pater, filebitnè filius? immo verò obsecabit patrem ne id faciat: si nihil proficiet, accusabit: minabitur etiam: ad extremum: si ad perniciem patriæ res spectabit:

should giue cuer: but to him, whom it were more expedient to liue, eyther for his owne or the commō weales sake, what if these be alike in both. Then there shalbee no struiuing between them: but the one must yeelde to the other, as the loser doth in lots, or at the Italy: an playe with the fingers called Tocco. What if the father rob churches? or vndermine the walls of the treasury: should the sonne open it to the magistrates: That were surely a cursed deed, yea rather hee should defend his father if hee were accused thereof. Is not our countrey then aboue all duties? yea truely, but it is profitable for ones countrey, to haue the inhabitants reuerence theyr parents. What if ones father will go about to vsurp, as a tyrant, or to betray his countrey, shall the sonne conceale it? May hee shall desire his father not to do it, if he nothing preuaile, hee shall blame him, and threaten him also.

And last of all, if the matter tende too the destruction  
of

of his country : he shall prefer  
the saftie of his countrie bee:  
foze the saftie of his father .

Hee puts a question also :  
if a wise man vnwares re-  
ceiued counterfarte money in  
steade of gold : after hee per-  
ceiues it, whether hee shou'd  
pay it out agayne for good  
money, if hee were indepted to  
any dodie ? Diogenes saith, hee  
may. Antipater denieth it, too  
whom I rather agree . Hee  
that wittingly selleth wine, &  
will not last : whether ought  
he to declare it, or no ? Dioge-  
nes thinks, it is not needfull :  
Antipater reckens it the duety  
of a good man. These bee (as  
ye would say) the cases, in cō-  
trouerfie, in y<sup>e</sup> Stoikes matters  
of law, whether, in selling a  
bondman, his faults are to be  
told, or no ? I meane not those,  
which vlesse you declare,  
the bondeman may bee tour-  
ned home agayne by the ci-  
uill law : but these, that hee  
is a lyer, a dyer, a pycker, a  
dronkard : some thinck meete

patriæ salutem antepo-  
nit saluti patris.

Quærit etiam si sapi-  
ens adulterinos nummos  
acceperit imprudens pro  
bonis, cum id rescieret,  
soluturus nê sit eos, si  
cui debeat, pro bonis.

Diogenes ait. Antipa-  
ter negat : cui potius  
assentior.

Qui vinum fugiens  
vendat sciens, debeat ne  
dicere ? non necesse pu-  
rat Diogenes : Antipa-  
ter viri boni existimat.  
Hæc sunt quasi contro-  
uersa iura Stoicorum, in  
mancipio vendendo di-  
cenda ne vitia ?

Non ea, quæ nisi dixeris,  
redhibeatur mancipium  
iure ciuili.

Sed hæc, mendacem  
esse, aleatorem, fura-  
cem, ebriosum, alteri  
dicenda videntur, al-

V.

teri

## de Officijs

teri non videntur. Si quis aurum vendens, orichalcū se putat vendere, indicet ne ei vir bonus aurum illud esse, an emat denario, qd' sit mille denariorum? Perspicū iam est, & quid mihi videatur & quæ sit inter eos philosophos, quos nominaui, controuersia. Pacta, & promissa semper ne seruanda sint, quæ nec vi, nec dolo malo, vt prætores solent dicere, facta sint. Si quis medicamentum cuiuspiam dederit ad aquam intercutem, pepigeritque, si eo medicamento sanus factus esset, ne illo medicamento vnquā postea vteretur: & annis aliquot post incidere in eundem morbum, nec ab eo, qui cum pepigerat impetret, vt item coliceat vti, quid faciendum sit, cum sit is inhumanus, qui non concedat vti, nec ei quicquam fiat iniuriæ?

to bee told some other, not so. If one selling golde, supposeth he sels but copper, should a good man of duetie tell him, that it is gold? or he may buy for a Penny that is worth a thousand? It is alreadie very playne, both what I thinck and what the controuersie is among the Philosophers, whom I named. Whether are couenants, and promises alwayes to bee kept, which bee (as the Doctors vse to speak) made neither by compulsion, nor by couine. If one minister to an other a medicine for the dropsye, and binds the patient by couenaut, that hee shall neuer after vse the same medicine, in case hee bee made whole by that medicine, & within a few yeeres after, do fall into the same disease and cannot obtaine of him, with whom he made the couenant, y he may vse it likewise againe, what is to bee done, seeing he is so vngentle, and will not graunt him to vse it, and hee should take no harme thereby.

The



The man must haue regarde to his owne life and health.

What if a wise man bee required of one, who makes him his heire: where two millions, and fūe hundred thousand crownes bee left him by Testament, that bee-fore hee haue the possession of it, hee daunce openly on the day tyme in the market, and hee promisseth so to dooe, because otherwise the manne would not put him in, as his heire: should he doo then that hee promised or no? I would wish hee hadde made no such promise: and that I thincke, had beene a point of grauitie: but seeing he promised it, if he count it dishonest to daunce in the market: hee shall wyth the more honestye goe from his woord, if hee take nothing of the inheritance: except peraduenture hee wyll bestow the same money vpon the common wealth, in some time of great necessitie, that it may bee no shame for him, euen to daunce when he shall procure the wealth of his Countrie.

Vitæ & saluti consulendum est.

Quid? si quis sapiens rogatus sit ab eo, qui eum hæredem faciat, cum ei testamento fectiū millies relinquatur, vt antequam hæreditatem adeat, luce palam in foro saltet, idque se facturum promiserit, quod aliter eum hæredem scripturus ille non esset: faciat quod promiserit, nec ne? promississe nolle & id arbitror fuisse grauitatis.

Sed quoniam promissit, si saltare in foro turpe ducet, honestius mentietur, si ex hæreditate nihil coeperat, quam si coeperit: nisi fortè eam pecuniam in Reipublicæ magnum aliquod tempus contulerit: vt vel saltare eum, cum patriæ consulturus sit, turpe non sit.

## de officijs.

Ac ne illa quidem promissa seruanda sunt, quæ non sunt his ipsis vrilia, quibus illa promiseris.

Sol Phaethonti filio (vt redeamus ad fabulas) facturum se esse dixit, quicquid optasset: optauit vt in currum patris tolleretur: sublatus est insanus, atque qua constitit, ictu fulminis deflagrauit. Quanto melius fuerat, in hoc promissum patris non esse seruatum?

Quid, quodd Theseus exegit promissum à Neptuneo? cui cum tres optiones Neptunus dedisset, optauit interitum Hippolyti filij sui, cum is patri suspectus esset de nouerca: quo optato impetrato, Theseus in maximis fuit luctibus.

Quid Agamemnon? cum deuouisset Dianæ, quod in suo regno pulcherrimum natum

Not those promises are to be kept, which bee not profitable, euen for them to whom you made them.

Citan (that wee may returne to fables) sayde to Phaeton his sonne, hee would dooe whatsoeuer hee would desire. Hee desired to be taken vp into his Fathers chariot: the mad foole was hoisted vp, and on the side where hee stood, with a flash of lychtning, hee fell all on a fire. How much better had it beene, his Fathers promise had not beene in this perforce med.

What shall wee say to the promise that Theseus required of Neptuneus? to whom when Neptuneus had graunted thre boones: Theseus asked the death of Hippolytus his son, when his Father had him in a ieaalousie for his step-mothtr: which boone beeing obtayned, Theseus fell to in very great lamentation.

What of Agamemnon? What hee had vowed to Diana, the sayrest creature, that should bee

bee borne that yeare in his  
kingdome: hee offered vp in  
sacrifice his daughter Iphi-  
genia, who was the fairest  
creature, borne that yeare.

The promise rather should  
not haue beene kept, then so  
hainous a deed should bee com-  
mitted. wherfore promises al-  
so many times are not to bee  
performed. Not at all times  
things layde to keepe, are to  
bee restored. As if one wel in  
his wit, shall leaue a sword  
with you to keepe: and aske  
it agayne, when hee is mad, it  
were a sinne to restore it, and  
duetie to keepe it. What if  
one who hath left money with  
you to keepe, would you make  
war against your Countrey?  
shall ye restore, that was laide  
yeer to keepe? No, as I sup-  
pose, for ye shall do against the  
common wealth, which ought  
to bee most deare vnto you.

So, many things, which by  
nature seeme to bee honest,  
by chaunge of times, become  
dishonest.

esset illo anno, immola-  
uit Iphigeniam, qua ni-  
hil erat eo quidem an-  
no natum pulchrius.

Promissum potius non  
faciendum, quam tam  
tetrum facinus admit-  
tendum fuit.

Ergo & promissa non  
facienda nonnunquam.  
Neque semper deposita  
reddenda sunt.

Si gladium qui apud  
te sana mente deposue-  
rit, rapetat insaniens,  
reddere peccatum sit,  
non reddere officium.

Quid si is, qui apud te  
pecuniam deposuerat,  
bellum inferat patriæ:  
reddes né depositum?  
Non credo: Facies enim  
contra Rempublicam,  
quæ debet esse charis-  
sima.

Sic multa, quæ natura  
honestæ videntur esse,  
temporibus sunt non  
honestæ.



## de Officijs.

Facere promissa, stare conuentis, reddere deposita, commutata utilitate fiunt non honesta.

Ac de his quidem, quæ videntur esse utilitates contra iustitiam simulatione prudentiæ, satis arbitror dictum.

Sed quoniam à quatuor fontibus honestatis primo libro officia duximus: in eisdem versabimur cum docebimus ea, quæ videntur esse utilia, neque sunt, quam sint virtutis inimica.

Ac de prudentia quidem, quam vult imitari malitia, itemque de iustitia, quæ semper est utilis, disputatum est.

Reliquæ sunt duæ partes honestatis: quarum altera in animi excellentis magnitudine & præstantia cernitur: altera in conformatione et moderatione continentie & temperantiæ.

Vti

To performe promises, to stand to couenants, to restore that is layd yee to keepe, when it otherwise beehoueth, it becommeth dishonest. And of these, which seeme to be cases of profit, contrarie to iustice, vnder pretence of wisdom, I thincke it sufficiently declared.

But for as much as in our first booke, wee haue drawne all dueties out of foure fountaines of honestie: wee shall continue still in the same: when wee teach what enemies of vertue those things bee: which seeme to bee profitable, and are not so in deede.

And thus of wisdom, whom wisnesse would resemble: and likewise of iustice, which is alwayes profitable, wee haue discoursed.

The other two parts of honesty remaine, whereof the one is seene in the greatnesse, and worthinesse of an excellent courage: the other, in the framing and measuring of stayednesse, and temperance.

It

It seemed profitable to Ulysses ( as some tragicall Poets haue it set out : for in Homer, the best author, there is no such suspicion of Ulysses ) but the tragedies doe lay it as a reproch to him: that by counterfainting madnesse, he would haue scaped going a warrefare . It was no honest deuice.

Yet profitable it was, ( as some peradventure will say ) to rule, and to liue quietly, at Ithaca, with his parents, with his wife, and with his sonne.

Thinck you any honour got in daierly daungers, and trauailes, is to bee compared with his quietnesse of life? I herilie iudge it meete to bee despised and reiected : because what so is not honest, I count it in no wise to bee profitable.

For what thincke you, Ulysses should haue heard, if hee hadde continued still in his counterfainting? Who, hauing doone great feates in warre, yet hearde these wordes of Ajax.

Vtile videbatur Vlyssi (vt quidam Poetæ tragi- ci prodiderunt, nam apud Homerum optimum authorem talis de Vlysse nulla suspicio est ) sed in simulant cum tragediæ, simulatione in sanæ militiam subterfugere voluisse. Non honestum cõfilium : at vtile (vt aliquis fortasse dixerit ) regnare, & Ithacæ viuere otiosè cum parentibus, cum vxore, cum filio.

Vllum tu decus in quotidianis periculis & laboribus cum tranquillitate hac conferendum putas?

Ego vero istam contemnendam & abiiciendam, quoniam quæ honesta non sit, ne vtilem quidem esse arbitror. Quid enim auditurum putas fuisse Vlysses, si in illa simulatione perseuerasset? qui cum maximas res gesserit in bello, tamen hæc audiuit ad Aiace.

V.iii.

Cuius

## de Officijs.

*Cuius ipse princeps iurif-  
iurandi fuit,*

*Quod omnes scitis, so-  
lus neglexit fidem.*

*Furere assimulauit, ne  
coiret, institit.*

*Quod ni Palame-  
dis perspicax prudentia.*

*Istius percepisset mali-  
ciosam audaciam.*

*Fide sacratum ius per-  
petuo felleret.*

*Illi verò non modò  
cum hostibus, verum e-  
tiam cum fluctibus, id  
quod fecit, dimicare me-  
lius fuit, quàm deserere  
consentientem Græci-  
am ad bellum barbaris  
inferendum.*

*Sed omittamus & fa-*

For all the conscience of  
that oath, hee passed not a  
flie,

Which he himselfe procu-  
red first, yee wor as well as  
I.

Hee could put on a fayned  
face, and fare as hee were  
mad,

And not to go with them,  
hee wrought with all the  
wiles hee had.

His flye boldenesse, but  
Palamade by deepe pol-  
licie dyd spie:

The sacred law of so-  
lempne oath, the freke  
would still denie.

For him no doubt it was  
better to fight, not only wth  
his enimes, but also wth  
the waues of the sea, as hee  
dyd, then to shrink from them  
of greece, who had conclud-  
ed together to make warre  
vpon the Troians. But let  
vs leaue off both fables, and  
foren



forren examples, & come wee  
to troth and deedes.

When Marcus Attilius  
Regulus, beeing second time  
Consull, was taken by a  
traîne in Affrike: Xantippus  
the Lacedemonian beeing the  
guide, and Amilcar, Annibals  
father, the generall: hee was  
sent to the Senate bypon his  
oath, that except certaine gen-  
telmen taken prisoners, were  
restored to y<sup>e</sup> Penes, hee should  
himselfe retourne to Car-  
thage. When he was come to  
Rome, he saw well the shew of  
profit, but as the matter pro-  
ueth, hee iudged it very vaine,  
which was but on this sort, to  
tary still in his countrie: to be  
at home with his wyfe and  
children, to keepe his degree  
of Consular estate, & to take  
the miserie which hee had felt  
in warre, to bee common to  
warfaring fortune.

Who can deny these things to  
bee profitable? What thincke  
you? Greatnesse of courage,  
and manlynesse saith nay to it.

bulas & externa, ad rem  
factam nostramque ve-  
niamus

M. Attilius Regulus,  
cū COS. iterum in  
Africa ex insidijs captus  
esset, duce Xantippo La-  
cedæmonio, Imperato-  
re autem patre Anniba-  
lis Hamilcare, iuratus,  
missus est ad Senatum,  
vt nisi redditi essent Pœ-  
nis captiui nobiles qui-  
dam, rediret ipse Car-  
thaginem.

Is cū Romam venis-  
set, vtilitatis speciem vi-  
debat, sed eam ( vt res de-  
clarat ) falsam iudicauit:  
quæ erat talis, manere  
in patria, esse domi suæ  
cum vxore, cum liberis,  
quam calamitatem acce-  
pisset in bello, commu-  
nem fortunæ bellicæ iu-  
dicare. tenere consu-  
laris dignitatis gradum.  
Quis hæc negat esse utili-  
a: quid censet? Magnitudo  
animi & fortitudo negat.

V.v.

Num

## de Officijs.

Num locupletiores  
queris authores? Har-  
rum enim est virtutum  
proprium, nil extimes-  
cere? omnia huma-  
na despiciere, nihil, quod  
homini accidere possit,  
intolerandum putare.

Itaque quid fecit? in  
Senatum venit, manda-  
ta exposuit, sententiam  
ne diceret, recusauit:  
quam diu iureiurando  
hostium teneretur, non  
esse se Senatorem. At-  
que illud etiam (O stul-  
tum hominem dixerit  
quispiam, & repugnan-  
tem vtilitati suæ) reddi  
captiuos negauit esse v-  
tile. Illos enim adoles-  
centes, & bonos duces,  
se iam confectum sene-  
ctute. Cuius, cum valu-  
isset auctoritas, capti-  
ui retenti sunt, ipse  
Carthaginem redijt.  
Neque eum charitas pa-  
triæ retinuit, nec suo-  
rum.

Neque vero tum ig-  
norabat se ad crudelis-

Look ye for more substantiall  
authorities? For of these ver-  
tues is it the propertie, to bee  
afearde of nothing, to despise  
all worldly vanities, to thinck  
nothing vn sufferable that to  
man may befall. Therefore  
what did he? He came into the  
Senate: declared that he had  
in commandement, refused to  
giue his sentence, and sayd, he  
was no Senatour, as long as  
hee was bound by oath, minis-  
tered by his enemies. Yea, and  
this moreover he sayd (O foo-  
lish man, will some say, and a-  
gainst his owne profit) that it  
was not expedient to haue the  
captiues restored. For hee al-  
leadged they were young, and  
good Captaines, whereas, hee  
was worne, & spent with age.

Whose authoritie when it  
had preuailed, the Captiues  
were kept still, hee hymselfe  
returned to Carthage, & nei-  
ther loue of his Countrey,  
nor of his kinnsfolke stayde  
him.

Yet was it not vnknown  
to

to him, that hee returned to  
a verie cruell enimie, and too  
extreame torments: but hee  
thought his oath meete to be  
performed. Wherefore euen  
at the time, when hee was  
put to death with continuall  
waking, hee was in better  
state: then if he had remained  
an aged captiue, and a periur-  
red Senatour at home. But  
fondly, will some say, hee dyd:  
who not onely iudged it vn-  
meete, that the captiues should  
be restored, but also dissuaded  
it.

How, I pray yee, dyd hee  
fondly? Did hee so, seeing hee  
auayled the common wealth?  
May that be profitable for  
any Citizen, which is vn-  
profitable to the state? When  
dooe we see these foundations  
which nature layeth, when  
they seuer profit from ho-  
nestie. For wee all couet pro-  
fit, and to it be carried, nor by  
any meanes otherwise canne  
wee dooe. For who is hee, that  
flyeth profit? Or who rather  
is there that followeth not  
the same most diligentlpe?

finum hostem, & ad  
exquisita supplicia profi-  
cisci: sed iusiurandum  
conseruandum putabat  
Itaque tum, cum vigi-  
lando necabatur, erat  
in meliore causa, quam  
si domi senex, captiuus  
periurus, consularis re-  
mansisset.

At stultè: qui non  
modo non censuerit cap-  
tiuos remittendos, ve-  
rum etiam dissuaserit.

Quomodo stultè?  
etiam ne si Reipublicæ  
conducebat. Potest au-  
tem quod inutile Rei-  
publicæ sit, id cuiquam  
cui vtile esse? Peruer-  
tunt homines ea, quæ  
sunt fundamenta natu-  
ræ, cum vtilitatem ab ho-  
nestate seiungunt. Om-  
nes enim expetimus vti-  
litatem, ad eamque ra-  
pimur, nec facere aliter  
villo modo possumus.

Nam quis est, qui vtilia  
fugit? aut quis potius,  
qui ea non studiosissi-  
mè persequatur?

Sed



## de Officijs.

Sed quia nusquam possumus, nisi in laude, decore honestare vtilia reperire propterea illa prima & summa habemus: vtilitatis nomen non tam spléndidum, quàm necessarium ducimus. Quid est igitur (dixerit quis) in iureiurando? num iram timemus Iouem? At hoc quidem commune est omnium philosophonũ, non eorum modò, qui Deum nihil habere ipsum negotij dicunt, & nihil exhibere alteri: sed eorum etiam, qui Deum semper agere aliquid, & moliri volunt. Nunquam nec irasci Deum, nec nocere.

Quid autem iratus Iupiter plus nocere potuisset, quàm nocuit sibi ipse Regulus? Nulla igitur vis fuit religionis, quæ tantam vtilitatem peruerteret. Annè turpiter faceret? primum minima de malis. Num

But because no where we can finde things profitable, but in prayse, seemelynesse, and honestie: therefore wee esteeme those as chiefe and highest, & the commendation of profit wee count not so honourable, as necessarie. What is there then in oath? Will some say, are wee afraid, Jupiter will bee angry? Nay, this is common among all philosophers not onely those, who holde, & God himselfe hath nothing to doe, and nothing appoynts to another body: but them also, who wyl needes haue God alway dooeing and meddling with somewhat: that God is neuer angry, nor euer hurteth any creature.

What greater harme could Jupiter haue done, beeing offended: then Regulus dyd to himselfe? There was then no respect of religion that might ouertourne so great a profit. What? should hee haue doone dishonestly? first, of euils, the least were to be chosen. Shall then thys dishonestye haue in it so much discommoditie,  
as

as had that torment? Moreouer, this saying that is in Accius.

Hast thou thy saythed  
promise broke?

My sayth I neyther gaue,  
nor giue,

To any faithles, while I liue,  
Though of a wicked king it  
bee sayd, yet it is excellently  
sayde.

Heerebinto wee adde, that  
as wee say, some things seeme  
profitable, which are not so in  
deede, that they in like manner  
say, some things seeme honest  
which are not so in deede,  
as for example, this same  
seemeth honest that hee dyd  
retourne to torment, for the  
sauing of his oath: but it be-  
came dishonest, because that  
which had beene wrought by  
the violence of his enemyes,  
should not haue beene by him  
confirmed. They lay also  
to this, that who so is very  
profitable, the same groweth  
lykewyse to bee honest, al-  
though it seemed not so at first.

igitur tantum mali tur-  
pitude ista habebit, quā-  
tum ille cruciatus? De-  
inde illud etiam apud  
Accium.

Fregisti ne fidem?

Neque dedi, neque de  
infideli cuiquam.

Quamquam ab impio  
rege dicitur, luculentē  
tamen dicitur.

Addunt etiam, quem-  
admodum nos dicamus  
videri quædam vtilia,  
quæ non sint, sic se dice-  
re videri quædam hone-  
sta quæ non sint: vt hoc  
ipsum videtur honestum  
conseruandi iurisiurandi  
causa, ad cruciatum re-  
uertisse. Sed fit non ho-  
nestum, quia quod per  
vim hostium esset act-  
um, ratum esse non de-  
buit.

Addunt etiam quic-  
quid valde vtile sit, id  
fieri honestum, etiam  
si antea non videretur.  
Hæc

## de Officijs.

Hæc ferè contra Regulum. Sed prima videamus.

Non fuit Iupiter metuendus, ne iratus noceret: qui neque irasci solet, neque nocere. Hæc quidem ratio non magis contra Regulum, quam contra omne iusiurandum valet.

Sed in iureiurando, non qui metus, sed quævis sit debet intelligi. Est enim iusiurandum affirmatio religiosa.

Quod autem affirmatè quasi Deo teste promiseris, id tenendum est. Iam enim non ad iram Deorum, quæ nulla est: sed ad iustitiam & ad fidem pertinet. Nam præclare Ennius.

O Fides alma apta pen-  
nis, & iusiurandum Iouis.  
Qui igitur iusiurandum  
violat, is fidem violat:  
quam in Capitolio vici-  
nam Iouis Opt. Max. ut in  
Catonis oratione est,

These things commonly bee  
alleadged agaynst Regulus.  
But let vs consider the first.  
Iupiter was not to bee feared,  
least hee shoulde hurt him in  
his anger: because neither to  
bee angry, nor to dooe harme  
he is accustomed. This reason  
surely maketh no more agaynst  
Regulus, then agaynst all kind  
of oathes. But in the oath ma-  
king, not what the feare,  
but what the vertue of it is,  
ought to bee considered. For  
an oath is a releygious assu-  
ring of any thing. And what  
so assuredly you haue promi-  
sed, as taking God to wit-  
nesse, it ought to bee obserued.  
For the oath now respectes  
not the wrath of the Gods,  
whitch is none at all, but ius-  
tice, and faythfulnesse. For  
notably sayde Ennius.

Oh heavenly fayth, tye to the  
wings the oath of Ioue also.

Who so then stayneth his  
oath, hee stayneth Ladve  
fayth: Whome as it app-  
pears in Catoes Oration,  
out



our auncetours would needes  
haue to stand in our Capitole,  
next vnto the great & mightie  
Ioue. Yea but Iupiter, beeing  
displeased, could not haue done  
more harme to Regulus than  
Regulus dyd to himselfe.

That is true if ther were no-  
thing euill, but to seeie paine.  
But the Philosophers, that  
bee of the greatest authori-  
tie, do asserme that it not one-  
ly is not the vttermoſt euill,  
but also no euill at all. For  
whom, I pray ye, do not refuse  
to take Regulus as no meane  
witnesse but (I beleeue) the  
graueſt of all. For what more  
subſtauncial witnesse doe wee  
looke for, than a peere of the  
common welſe, who for the cō-  
tinuing of his duetic dyd wyl-  
lingly enter into tormētſ. For  
whereas they ſay, of euils the  
leaſt, are to be choſen, meaning  
it is better diſhoneſtly, the mi-  
ſerable to liue, is there any  
greater euil, than diſhoneſtie?  
which if in the deſormitie of  
the bodie it breedeth ſomme  
offence.

maiores noſtri eſſe vo-  
luerunt. At enim ne  
iratus quidem Iupiter  
plus Regulo nocuiſſet,  
quā ſibi nocuit ipſe Re-  
gulus. Certē ſi nihil malū  
eſſet, niſi dolere: id autē  
non modo non ſummum  
malum, ſed nec malū qui-  
dem eſſe maxima auctori-  
tate philoſophi affirmant.

Quorum quidem teſtem  
non mediocrem, ſed haud  
ſcio an grauiſſimum Re-  
gulum, nolite quaſo vi-  
tuperare.

Quem enim locupletio-  
rem querimus quam prin-  
cipem. Po. Ro. qui retinen-  
di officiij cauſa crutiatum  
ſubierit voluntarium?

Nam quod aiunt mi-  
nima de malis, id eſt vt  
turpiter, potius quā  
calamitoſe: an eſt vllum  
maius malum turpitu-  
dine? Quæ ſi in defor-  
mitate corporis habeat  
aliquid offenſionis,

quane

## de Officijs.

quanta illa deprauatio  
& fæditas turpificati a-  
nimi debet videri?

Itaque neruosius qui  
ista differunt, solum  
audent malum dicere,  
id quod turpe sit: qui  
autem remissus, hi ta-  
men non dubitant sum-  
mum malum dicere,

**N**am illud quidem.  
Neque dedi, neque  
do infideli cuiquam.

Idcirco recte à poeta  
dicitur, quia cùm trac-  
taretur Atreus, personæ  
seruiendum fuit.

Sed si hoc sibi sumant  
nullam esse fidem, quæ  
infideli dara sit, videant  
ne quæratur latebra per-  
iurio.

Est autem ius etiam  
bellicum, fidesque iuris-  
iurandi sæpe hosti seruan-  
da. Quod enim ita  
iuratum est, vt mens  
conciperet fieri oportere,

How much must needes the  
corruption and filth of a de-  
filed minde appeare: There-  
fore they who more pithily de-  
bate these matters are bold to  
call that the onely euill, which  
is dishonest, and that, who dis-  
pute them not so earnestly, doe  
not like to call the same y<sup>e</sup> bet-  
terest euill. As for the saying:

My sayth I neither gaue  
nor giue.  
To any faithlesse, while I  
liue.

It is therfore well brought  
in of the Poet, beecaufe when  
Atreus part should goe in  
hand, it was meete the speach  
should serue for his personne.  
But if heerof they take them-  
selues a rule, that it is no pro-  
mise that is made to a promise  
breaker: let them take heede,  
there bee not sought a starting  
hole for periury.

The law of armes, and the  
promise of an oath is many  
times to be kept with our ene-  
mie. For what so in such sort  
is s'wozne, that y<sup>e</sup> minde of the  
swearer conceiueth, it is ne-  
cessarie

cessarie to bee done: that same  
is to be obserued: what so fal-  
leth otherwise: the same if one  
dooe not, it is no periurie. As  
if you bring not the summe of  
money that yee promised ro-  
uers for your life: there is no  
deceiuing in it, no, though be-  
ing swozne therto ye do it not.  
For a pyrate is not compted  
in the number of enemies to  
ones countrey, but a common  
enemie to all men, with such a  
one neither promise, neyther  
oath ought a like, as with vs  
to bee kept. For to sware an  
vntruth, is not to forswere but  
not to perforce that, which ac-  
cording to y<sup>e</sup> meaning of your  
heart yee haue swozne, as by  
our custome is exprest in a cer-  
taine forme of words: surely  
it is periurie. For feately said  
Euripides.

In word I sware, but heart  
vnsworne I bare.

But it was not fit for Re-  
gulus with periurie too dy-  
stourbe the conditions, and co-  
uenants with his enemies, &  
of warre. For with a iust and

id seruandum est, quod  
aliter, id si non feceris,  
nullum periurium est.

Vt si prædonibus pactum  
pro capite pretium non  
attuleris, nulla fraus est,  
ne si iuratus quidem id  
non feceris.

Nam pirata non est ex  
perduellium numero de-  
finitus, sed communis  
hostis omnium: Cum hoc  
nec fides debet, nec ius-  
iurandum esse commu-  
ne. Non enim falsum  
iurare peierare est, sed  
quod ex animi tui sen-  
tentia iuraueris, sicut ver-  
bis concipitur more no-  
stro, id non facere, per-  
iurium est. Scitè enim  
Euripides.

Iuravi lingua, mentem  
iniurata gero.

Regulus verò non debu-  
it conditiones, pactio-  
nesque bellicas & hosti-  
les perturbare periurio.

Cum iusto enim &  
legiti-

X.



legitimo hoste res gerebatur : aduersus quem & totum ius faciale & multa sunt iura communia.

Quod ni ita esset, nunquam claros viros senatus victos hostibus dedidisset. At vero T. Veturius & Sp. Posthumius cum iterum Coss. essent, quia cum male pugnatum apud Caudium esset, legionibus nostris sub iugum missis pacem cum Samnitibus fecerant, dediti sunt his, in iussu enim Po, Senatusque fecerant.

Eodemque tempore T. Numitius, Q. Aemilius, qui tum tribuni plebis erant, quod eorum autoritate pax erat facta, dediti sunt, ut pax Samnitium repudiaretur. Atque huius deditiois ipse Posthumus, qui deditus batur, suasor & autor fuit. Quod idem multis annis post C. Manc.

and lawfull enimie the thing was done: toward whom both all the fecial law, and diuers other lawes bee in common, which if it were not so: the Senate would neuer haue deliuered to their enimies, noble men being prisoners. But yet Titus Veturius, and Spurius Posthumius, the second tyme, they were Consuls because when they had not fought it well at Caudium, and our legions beeing subdued they had made a peas with the Samnites: they were deliuered vnto them, for without commission of the people and the Senate, they had done it. And at the same tyme Titus Numitius, and Quintus Emilius, who were then the Tribunes of the people, because the pease was made by their authoritie, were deliuered also, the pease to the Samnites might bee refused. And Posthumius selfe who was deliuered, was the perswader & causer of the same deliuerie. Which likewise Caius Mancinus did, many peeres after: who

who, that hee might bee deli-  
 uered too the Numantynes,  
 with whom without authori-  
 tie of the Senate he had con-  
 cluded a league, perswaded y<sup>e</sup>  
 perticular law, which Lucius  
 Furius, and Sextus At-  
 tillius, made by the decree of  
 the Senate, and when it was  
 receiued, hee was deliuered to  
 the enimies. This man dealt  
 more honestly then Quintus  
 Pompeius, by whose interces-  
 sion, when he was in the same  
 case, it was brought to passe,  
 that y<sup>e</sup> law was not receiued,  
 w<sup>th</sup> him that thing which  
 seemed profit, preuailed more  
 then honestie, w<sup>th</sup> the other  
 aforesayd, the false shew of pro-  
 fit was suppressed by the au-  
 thoritie of honestie. But that  
 which was doone by violence,  
 needed not to haue ben confir-  
 med. As who should say, vio-  
 lence could be done to a man-  
 ly man, why then did hee goe  
 to the Senate, namely, see-  
 ing hee was purposed to dis-  
 swade them from the deli-  
 uerie of the captiues? That  
 in him was most commen-  
 dable, the same yee disallow.

cinus, qui vt Numanti-  
 nis, quibus cum sine Se-  
 natus autoritate fcdus  
 fecerat, dederetur, roga-  
 tionem suasisit eam, quam  
 Lucius Furius & Sextus  
 Attillius ex Senatus con-  
 sulto ferebant: qua ac-  
 cepta, est hostibus dedi-  
 tus. Honestius hic, quam  
 Quintus Pompeius, quo,  
 cum in eadem causa es-  
 set, deprecante accepta  
 lex non est. Hic ea, quæ  
 videbatur utilitas, plus va-  
 luit, quam honestas. A-  
 pud superiores utilitatis  
 species falsa, ab honesta-  
 tis autoritate superata  
 est.

At non debuit ratum  
 esse, qd' erat actum per  
 vim, quasi vero forti vi-  
 ro vis possit adhiberi.  
 Cur igitur ad Senatum  
 proficiscebatur, cum præ-  
 fertim de captiuis dissua-  
 surus esset? Quod maxi-  
 mum in eo est, id repre-  
 henditis.

X.ij.

Non

## de officijs.

Non enim suo iudicio stetit : sed suscepit causam, ut esset iudicium Senatus : cui nisi ipse author fuisset, captiui profecto Poenis redditi essent.

Ita incolumis in patria Regulus restitisset.

Quod quia patriæ non utile putauit, idcirco honestum sibi, & sentire illa & pari credidit.

Nam quod aiunt, quod valde utile sit, id fieri honestum, immo verò est, non fieri.

Est enim nihil utile, quod idem non honestum, nec quia utile, honestum est, sed quia honestum, utile. Quare ex multis mirabilibus exemplis, haud facile quis dixerit hoc exemplo aut laudabilius aut præstantius.

Sed ex tota hac laude Reguli, vnum illud est admiratione dignum, quod captiuos retinendos

for hee stood not in his owne iudgement, but tooke y<sup>e</sup> matter in hand, that it might bee y<sup>e</sup> iudgement of the Senate, wherevnto if he had not bene a counsellour, the captiues no doubt, had been restozed to the Carteginers. So had Regulus remained safe in hys Countrie, which beecaue hee tooke it not to bee profitable for his Countrie, therfore hee thought it honestie for him to bee of the monde, and so to suffer. For where they say, that it which is verie profitable, dooth beecome honest, nay they should say, it is indeede, and not become honest. For there is nothing profitable, which same is not honest, & not beecaue it is profitable, it is honest, but beecaue it is honest, therefore it is profitable. Wherefore of many marvellous examples, a man shal not lightly tell either a more commendable, or a more goodlye exemptie then this. But in all this prayse of Regulus this one thing is worthe of admiration, that hee thought it best, the prisoners shoulde bee



bee kept still. For in that  
hee retourned, I thinck it no  
wonder at all, beecaufe in  
those daies hee could not dooe  
otherwise. Therfore that com-  
mendation is not the mans,  
but the times. For our aun-  
cestours were of this minde,  
y there is no straighter bond  
to binde a mannes promise,  
then an oath. The lawes in  
the twelue Tables declare,  
that our holy orders declare,  
the same, and our leagues de-  
clare no lesse, whereby bound  
is the promise made euē with  
the enimie, the enteryes and  
punishmentes of the Cen-  
sours declare as much, who  
about no matter more heed-  
fully gaue iudgement, then  
about keeping of oathes.

Marcus Pomponius, Tri-  
bune of the people, byd sum-  
mō Lucius Manlius, Aulus  
sonne, when hee was Dictator  
to appeare at a day, beecaufe  
hee had taken vpon him y oc-  
cupping of his Dictatorship  
a few daies longer then hee  
should, & accused him also, that  
he had driuen his son Titus,  
who afterward was called

censuit. Nam quod redi-  
it, nobis nunc mirabile  
videtur: illis quidem  
temporibus aliter face-  
re non potuit. Itaque  
ista laus non est homi-  
nis, sed temporum. Nul-  
lum enim vinculum ad  
astringendam fidem iu-  
reiurando maiores arcti-  
us esse voluerunt. Id in-  
dicant leges in XII. Ta-  
bulis, indicant sacra, in-  
dicant fœdera, quibus  
etiam cum hoste deuin-  
citur fides, indicant no-  
tationes, animaduersionesque Censorum, qui  
nulla de re diligentius,  
quam de iureiurando  
iudicabant.

Lucio Manlio Auli  
filio, cum Dictator fuisset, Marcus Pompo-  
nius Tribunus plebis  
diem dixit, quod is pau-  
cos sibi dies ad dicta-  
turam gerendam addi-  
disset. Criminabatur et-  
iam, quod Titum fili-  
um, qui Torquatus po-  
stea est appellatus, ab

## de Officijs.

hominibus relegasset & ruri habitare iussisset.

Quod cum audiuisset adolescens filius, negotium exhiberi patri, accursisse Romam, & cum prima luce Pomponij domum venisse dicitur.

Cui cum esset nuntiatum, quod illi iratum allaturum ad se aliquid contra patrem arbitraretur, surrexit e lectulo, remorisque arbitris, ad se adolescentem iussit venire.

At ille ut ingressus est, confestim gaudium distinxit, iurauitque se illum statim interfecturum, nisi iusiurandum sibi dedisset, se patrem missum esse facturum. Iurauit hoc torrore coactus Pomponius, rem ad populum detulit, docuit, cur sibi a causa desistere necesse esset.

Manlium missum fecit. Tantum temporibus illis iusiurandum valebat. Atque hic

Corquatus from company of men, and had commaunded him to dwell in the Countrie, which when the young man his sonne, once heard of, that his father was brought in trouble, it is sayd, hee ranne to Rome, and by break of day came to Pomponius house. To whom when it was told, beccause hee thought, that hee beeing offended would bring some matter vnto him against his father, he arose out of his bedde, and all hearers beeing voyded out of the place, hee commaunded the young man should come to him. But hee as soone as hee enterd, by and by drew his sword, & sware hee would kil him out of hand except hee made an oath vnto him, that hee would discharge his father. Pomponius constrained with this terroure, made an oath, so hee opened the matter to the people, hee enformed them, why it was necessarie for him to let fall the action. Hee discharged Manlius. So greatly was an oath hadde in regard at those dayes. And this Titus Man

Manlius is hee, who got his surname at the riuer of Anien, of a chayne, that hee pulled fro a Frenchman, whō he slew, being dogged by him, in whole third Consulship, the Latines at Veleys, were discomfited & put to flight. A very noble man doubtlesse, and one, who not long afore beeing loouing toward his father, beecame sover & seuer against his son. But as Regulus is to be commended in keeping his oath, so those ten, whom Annibal after the Cannensian fight had sent to the Senate vpon their oath, that they should retorne into the camp whereof the Carthaginers were then in possession, except they obtayned his request, for the raunsoming of certayne prisoners, are to bee dispraised if they did not return. Touching whome, all men write not after one sort. For Polybius, a speciall good author, writeth: that of the ten chosen Gentlemanne, who then were sent, nine retourned:

Titus Manlius is est, qui ad Anienem Galli, quem ab eo prouocatus occiderat, torque detracto, cognomen inuenit: cuius tertio consulatu Latini ad Velerim fusi & fugati sunt. Magnus vir in primis & qui perindulgens in patrem, idem acerbè seuerus in filium.

Sed vt laudandus Regulus in conseruando iureiurando, sic decem illi, quos post Cannensem pugnam iuratos ad Senatum misit Annibal se in castra redituros ea, quorum potiri erant Pœni, nisi de redimendis captiuis impetrauissent, si non redierunt vituperandi.

De quibus non omnes vno modo. Nam Polybius bonus author in primis scribit: ex decem nobilissimis qui tunc erant missi, nouē reuertisse



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à Senatu re non impe-  
trata: vnum ex decem ,  
qui paulo postquam e-  
gressus erat è castris, re-  
dissét, quasi aliquid es-  
set oblitus, Romæ reman-  
cisse. Reditu enim in ca-  
stra, liberatum se esse iu-  
reiurando interpretaba-  
tur. Non rectè. Fraus e-  
nim distringit, non dis-  
solvit periurium. Fuit  
igitur stulta calliditas,  
peruersè imitata pru-  
dentiam. Itaque de-  
creuit Senatus, vt il-  
le veterator & callidus,  
vinctus ad Annibalem  
duceretur.

Sed illud maximum:  
octo hominum millia te-  
nebat Annibalem, non  
quos in acie cepisset,  
aut qui periculo mor-  
tis diffugissent: sed qui  
relictì in castris fuissent  
à Paulo & Varrone Cos.  
Eos Senatus non censuit  
redimendos: cùm id par-  
ua pecunia fieri posset,  
vt esset insitum militibus

when the matter could not be ob-  
tained of the Senate, & that  
one of the ten, who a little after,  
hee was gone out of the camp,  
retourned backe as though  
hee had forgotten somewhat,  
remayned still at Rome. For  
by his retourn to the camp, he  
tooke himselfe to bee dischar-  
ged of his oath, but that was  
not true. For guile confir-  
meth, & not dischargeth periur-  
ie. It was then a foolish cras-  
tinesse that did peeuisly coun-  
terfait wisdom. Therefore the  
Senate made a decree, that the  
same subtil & wily foxe should  
be carried pinioned vnto An-  
nibal. But this is a maruel-  
ous matter. Annibal had in  
holde eight thousand of our  
men, whō he tooke not in bat-  
tel, nor as flying away for fear  
of death: but they were left be-  
hinde in the campe, by Paul-  
lus and Varro, the Consuls.  
The Senate did not thincke  
it good to raunsome them:  
whereas they might haue  
doone it for a little mo-  
ney, that it might sinke into  
our souldyers heartes, & ther

ther to winne the victorie, or  
manfully to die. Which thing  
when it was knowen, the  
sayd Polibius writes, that  
Annibals heart was daunted  
therwith, because the Senate  
and people of Rome, euen in  
chaunces of aduersitie, were  
of so loftie a courage. Thus  
the things which seeme profy-  
table, be ouerweighed by com-  
parison of honestie. But that  
same Acilius who wrote the  
storie in Greeke, sayth: there  
were more which returned to  
the campe vnder y same guile  
that they might bee dischar-  
ged of theyr oath, and that  
they were noted by the Cen-  
sors wyth all manner of infamie.  
Heere an end of this per-  
cell. For it is euident, y such  
thinges as bee doone wyth a  
fearefull, seruile, dastardly, &  
weake heart, as the dooeing  
of Regulus had beene, if ei-  
ther hee had thought, concer-  
ning the prisoners, that hee  
saw expedient for himsele,  
& not for the common weale,  
or else would haue tarryed  
still at home bee not profita-  
ble, because they bee reproch-

nostris, aut vincere, aut  
emori.

Qua quidem re audi-  
ta, fractum animum An-  
nibalis scribit idem: quod  
Senatus Populusq; Ro-  
manus rebus afflictis,  
tam excelsso animo fu-  
isset. Sic honestatis com-  
paratione, ea quæ viden-  
tur vtilia, vincuntur.

Acilius autem, qui græ-  
cè scripsit historiam, plu-  
res ait fuisse, qui in Ca-  
stra reuertissent, eadem  
fraude, vt iureiurando  
liberarentur: eosque à  
Censoribus omnibus ig-  
nominij notatos. Sic  
iam huius loci finis.

Perspicuum est enim  
ea, quæ timido animo,  
humili, demisso, fractoq;  
fiant ( quale fuisset Re-  
guli factum, si aut de  
captiuis, quod ipsi opus  
esse videretur, non quod  
Reipublicæ censuisset,  
aut domi remanere vo-  
luisset ) non esse vti-  
lia, quia sint flagitiosa,  
fœda,

## de Officijs.

foeda & turpia. Restat quarta pars, quæ decore, moderatione, modestia, continentia, temperantia continetur. Potest igitur quicquam esse utile quod sit huic talium virtutum choro contrarium? Atqui ab Aristippo Cyrenaici atque Annicerij Philosophi nominati, omne bonum in voluptate posuerunt: virtutemq; censuerunt, ob eam rem esse laudandam, quod efficiens esse voluptatis. Quibus obsoletis floret Epicurus eiusdem ferè adiutor, authorq; sententiæ. Cum his, velis, equisq; ( vt dicitur ) si honestatem tueri, ac retinere sententia est, decertandum est. Nā si non modo utilitas, sed vita omnis beata, corporis firma constitutione, eiusq; constitutionis spe explorata ( vt à Metrodoro scriptum est ) continetur: certè hæc utilitas & quidem summa, ( sic enim censent )

full, vile, and dishonest. The fourth part is now beehynde, which consisteth in seemelynesse, measure keeping, sober moode, staydnesse, and temperaunce. May the any thing be profitable, that is contrarie to such an assemble of vertues: But the Ciranikes & Annicerians, who had their name of Philosophers from Aristippus, placed al felicity in pleasure, & therefore they iudged vertue to bee commendable, beecaue it was a causer of pleasure, & when these were woꝛne out of estimation, then flourished Epicurus, a furtherer, and an author well nigh of the same opinion. Against them must wee strue wth Cooth and Mayle ( as they say ) if wee meane to defend, and preserue honestie. For if not, onely profit, but also all happy lyfe consisteth in the good complexion of the body, and in a sure trust to the same complexion, as by Metrodorus it is written, doubtlesse this manner profit, pea, and þ very chiefe ( for so dooe they hold )  
will



will strue with honestie. For  
 first of all, where shall there  
 bee a place appointed for wis-  
 dome? What meane they that  
 on euery side shee should seeke  
 after delicacies? How misera-  
 ble a seruice wer it for vertue  
 to be a waiter vpon pleasure.  
 But what should bee the of-  
 fice of wisdom? Skilfully to  
 choose out pleasures? Admit  
 there bee nothing pleasaun-  
 ter, then so to dooe, what can  
 there bee imagined more dis-  
 honest? Now wyth him,  
 who sayeth, that payne is the  
 bitterest euill, what place shall  
 manlynesse haue, which cares  
 not for any paynes, or tra-  
 uailles, that bee offered? For  
 although Epicurus speakes  
 in maney places touching  
 paine (as hee doeth in this)  
 stoutly inough: Neuerthe-  
 lesse it is not to bee regar-  
 ded what hee sayth, but  
 what is meete for him too  
 say, who hath pointed out  
 the limits of good things to  
 bee in pleasure, and of euill  
 things in paine, as if I shuld  
 heare him speake of stayed-  
 nesse and temperaunce.

cum honestate pugna-  
 bit.

Nam vbi primum pru-  
 dentiae locus dabitur?  
 An, vt conquirat vndiq;  
 suauitates? Quam miser  
 virtutis famulatus serui-  
 entis voluptati. Quod  
 autem munus prudentiae?  
 an legere intelligetur vo-  
 luptates. Fac nihil isto  
 esse iucundius, quid  
 cogitare potest turpi-  
 us?

Iam qui dolorem,  
 summum malum dicat,  
 apud eum quem habet  
 locum fortitudo? quae est  
 dolorum, laborumque  
 contemptio? Quamuis  
 enim multis locis dicat  
 Epicurus (sicut hic di-  
 cit) satis fortiter de do-  
 lore: tamen non id spect-  
 andum est quid dicat,  
 sed quid consentaneum  
 sit ei dicere, qui bona  
 voluptate terminauerit,  
 mala dolore. Vt si il-  
 lum audiam de conti-  
 nentia & temperantia:  
 dixit

## de Officijs.

dixit ille quidem multa multis locis, sed aqua heret, ut aiunt. Nam qui potest temperantiam laudare is, qui ponat summum bonum in voluptate? Est enim temperantia libidinum inimica, libidines autem consecutrices voluptatis. Atque in his tamen tribus generibus quoquo modo possunt, non incallide tergiuersantur. Prudentiam introducunt, scientiam suppeditantem voluptates, depellentem dolores. Fortitudinem quoque aliquo modo excedunt: cum tradunt rationem negligende mortis perpetuendi que doloris. Etiam temperantiam inducunt non facillime illi quidem, sed tamen quomodo possunt. Dicunt enim voluptatis magnitudine doloris detractio fieri. Iustitia vacillat vel iacet potius, omnesque hec virtutes, que communitate cernuntur, & in societate generis humani. Neque enim bonitas,

hee talkes in deede in many places many things, but hee is myred by the way, as they say. For how can hee praise temperance, that sets the sovereyn good in pleasure. For temperance is enemie to lust, and lust is a waiting servant to pleasure. And yet in these thre kindest, not without subtiltie, they fall to theyr shifts. They bring in wisdom as a science ministring pleasure, avoyding paynes. They set vs out also manlynesse, after a certayne sort, when they teach a way to despise death, and endure payne. They also fetch in temperaunce, with much a dooe doubtlesse, but yet as well as they may. For they holde that the greatnesse of pleasure aryseth by putting of all payne. Justice staggereth with them, or rather lyeth vnder foot, and all those vertues that shew them selues in the common knot & fellowship of men. For they canne bee neither goodnesse, neyther liberalitie, nor ciuilitie, no more then friendshippe may, if they bee not sought after

after for themselves, but bee referred to pleasure or to profit.

Lette vs then driue our matter into few words. For as wee haue taught, there is no profit, which is contrarie to honestie: so wee say, all voluptuousnesse is contrarie to honestie. And so much the more I take Callipho, and Diomachus, worthy to bee repproued, who thought they should ende the controuersie, if they made a ioyning of voluptuousnesse with honestie, as of beast with man, honestie admittes not this knot, but both abhorre and reiect it.

For truely the ende of good and euill, which ought to bee after one sorte, may bee mingled & tempered with things disagreeable. But heereof hetherto, for it is a weygh-tie matter, and in another place discoursed more at large Now to the purpose. After what sort then the matter is to bee resolved, if at any time profit in apparance doth striue with honestie, it is before sufficiently debated, but if volup-

nec liberalitas, nec comitas esse potest, non plus quam amicitia, si hec non p se expectantur: sed ad voluptatem vtilitatemue referatur. Conferam<sup>9</sup> igit in pauca. Nam vt vtilitatem nullā esse docuimus, quæ honestati esset contraria: sic omnem voluptatē dicimus honestati esse contrariam. Quō magis reprehendendos Calliphonē & Dinomachum iudico, qui se direpturos controuersā amputauerunt, si cum honestate voluptatē, tanquā cū homine pecudem copulauissent. Non recipit istā coniunctionē honestas: aspernatur, repellit. Nec vero finis bonorum & malorum, qui simplex esse debet, ex dissimilibus reb<sup>9</sup> misceri & téperari potest. Sed de hoc (magnæ nini res est) alio loco pluribus. Nunc ad propositū. Quemadmodum igitur si quando ea, quæ videretur vtilitas, honestati repugnat, dijudicanda res sit satis est supra disputatum

Sim



## de Officijs.

Sin autem speciem vtilitatis etiam voluptas habere dicatur : nulla potest esse ei cum honestate coniunctio. Nam ut tribuamus aliquid voluptati, condimenti fortasse nonnihil, vtilitatis certè nihil habebit.

### PERORATIO OPERIS.

Habes à patre munus, Marce fili, mea quidem sententia magnum, sed perinde erit ut acceperis. Quanquam & hi tibi tres libri inter Cratippi Comentariorum tanquam hospites erunt recipiendi. Sed ut, si ipse venissem Athenas (quod quidem esset factum, nisi me è medio cursu clara voce patria reuocasset) aliquando me quoque audires : sic quoniam his voluminibus ad te perfecta vox mea est, tribues his temporis, quantum poteris : poteris autem quantum voles. Cum vero intellexero, te hoc

trouessee also bee compted to haue a shew of profit, it can haue no felowship with honestie. For bee it so, wee some what esteeme pleasure, some sawce perhaps it shall haue in it, but surely no profit at all.

The conclusion and dedication of his woorkes, with an exhortation to hys

### Sonne.

You haue from your father a present Sonne Marke, in my opinioin, verely much woorth, but it shall be euen so, as yee take it. Notwithstanding these three bookes are, as strangers to bee entertained of you, among Cratippus notes. But as yee should once haue heard mee also, if I had come to Athens, which hadde ben done in deede, but that my country called mee back with open mouth in the middelt of my iourney, so seeing in these volumes my voyce is conueyed vnto you, yee shall bee slow as much time vpon them as you may, and so much you may, as you will. But when I shall vnderstand that you take

take pleasure in this kinde of  
knowledge, then I both pre-  
sent there shortly, as I trust,  
and in your absence, absent  
will speake with you.

Fare you well therefore, my  
Cicero, and assure your selfe  
that you are to mee doubtlesse  
right, deere, and yet far dearer  
shalbee if in such bookes,  
and lessons, you will  
sette your de-  
light.

scientię genere gaudere:  
tum & præsens tecum pro  
pediem (vt spero) & dum  
aberis absens loquar.

Vale igitur mi Cicero,  
tibi que persuade, te mihi  
quidem esse charissimum,  
sed multo fore cha-  
riorem, si talibus  
monumentis,  
præceptisq;  
lætaber-  
re.

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